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Provincial Papers.

DOCUMENTS AND RECORDS

RELATING TO THE

PROVINCE OF NEW-HAMPSHIRE,

FROM 1738 TO 1749;

CONTAINING VERY VALUABLE AND INTERESTING RECORDS AND PAPERS RELATING TO THE EXPEDITION AGAINST LOUISBOURG, 1745.

Published by authority of the Legislature of New Hampshire.

VOLUME V.

FAMILY HISTORY LIBRARY
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COMPILED AND EDITED BY

NATHANIEL BOUTON, D. D.

Corresponding Secretary of the New-Hampshire Historical Society.

GENEALOGICAL DEPARTMENT
CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS

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NASHUA:
ORREN C. MOORE, STATE PRINTER.
1871.

NOTICE.

JOINT RESOLUTION passed by the Legislature of New Hampshire.

Resolved by the Senate and House of Representatives in General Court Convened, That his Excellency the Governor be hereby authorized and empowered, with the advice and consent of the Council, to employ some suitable person and fix his compensation, to be paid out of any money in the treasury not otherwise appropriated, to collect, arrange, transcribe and superintend the publication of such portions of the early State and Provincial Records, and other State Papers of New-Hampshire, as the Governor may deem proper; and that eight hundred copies of each volume of the same be printed by the State Printer and distributed as follows: namely, one copy to each City and Town in the State, one copy to such of the Public Libraries of this State as the Governor may designate, two hundred copies to the New Hampshire Historical Society, and the remainder placed in the custody of the State Librarian, who is hereby authorized to exchange the same for similar publications issued by other States.

Approved July 6, 1866.

EDITOR'S PREFACE.

THIS volume is one of great interest and historical value, as containing all the official records and documents found in the Secretary's office and elsewhere, relative to the part which New Hampshire took in the expedition against Louisbourg, 1745. Although Governor Shirley, of Massachusetts, must be acknowledged as a prime mover and most efficient promoter of the enterprise, yet Governor Benning Wentworth, also, and his Majesty's Council and Assembly of New Hampshire, most heartily joined in the common cause, and furnished a full quota of brave New Hampshire men, who acquitted themselves nobly in the capture of that strong-hold of the enemy.

The attention of readers is also particularly invited to the documents contained in this volume relative to the final determination of the boundary line between New Hampshire and Massachusetts, and the very able papers drawn up by John Thomlinson, Esq., in the latter part of the volume. The "Miscellaneous Papers" herein contained, and the "Agreement" for the purchase of the Masonian claims; the incidents of Indian warfare; the failure of the intended expedition against Canada, 1746 and 1747, with many other matters, will be found entertaining and instructive.

The sixth volume, already in course of preparation, will contain all known official records and documents pertaining to the part which New Hampshire took in the expedition to Crown Point, and generally, in the French and Indian wars of that period.

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(1) The reader is notified that the "Records of Council" in this volume extend to a little longer period than does the "Journal of the House," or "Journal of the Assembly." It was a matter of convenience to the editor.—Ed.

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Names of members of his Majesty's Council of the Province of New Hampshire, under the Administration of Governor Benning Wentworth, 1742 *to* 1749.

Appointed in 1732. RICHARD WALDRON, *Sec'y.* (1)
1716. GEORGE JAFFREY.
1724. JOTHAM ODIORNE.
1728. HENRY SHERBURNE.
1732. JOSHUA PIERCE.
1733. JOSEPH SHERBURNE.
1733. ELLIS HUSKE.
1734. THEODORE ATKINSON, *Sec'y.* (2)
1739. RICHARD WIBIRD.
1740. JOHN DOWNING.
1742. SAMUEL SMITH. (3)
1743. SAMUEL SOLLEY. (4)
1747. SAMPSON SHEAFE. (5)

(1) Suspended by the Governor, March 18, 1742.
(2) He was appointed, 1732, but did not take the oath of office till 1734; was appointed Secretary in place of Richard Waldron, March, 1742.
(3) Took his seat April 15, 1742.
(4) Took his seat April 12, 1743.
(5) Took his seat November 11, 1747.

NEW-HAMPSHIRE

PROVINCIAL PAPERS.

VOLUME V.

Administration of Gov. Jonathan Belcher—continued.

[The "JOURNAL OF THE HOUSE," continued from October the 20th, 1737. See marginal page 528, in printed volume IV, "Provincial Papers."—ED.]

[P. 528.] By Proclamation his Excellency Prorogued the General Assembly to the first Wednesday in May 1738, as by the Proclamation affixed on the Court House dore which the members as they entred the Court House dore tooke down and was Read in the House as follows, viz.

By his Excellency Jonathan Belcher, Esq. Governor and Commander in Chief in and over his Majesties Province of New hampshire in New England.

A PROCLAMATION.

Whereas the Gen[ll] Assembly of the said Province of New hampshire Stands Prorogued to the third day of May next, I have tho't fit further to Prorogue them to Wednesday the twelfth of July next at ten of the clock before noon, then to meet at the Court House In Portsmouth within said Province, and in his Maj[tys] name the said Gen[ll] Assembly is hereby prorogued accordingly and all persons concern'd are Required to take notice thereof and to pay a Due conformity thereto.

Given under my hand the seventeenth day of April 1738, in the Eleventh year of the Reigne of our Sovereign Lord George the Second, by the grace of God, of Great Brittain, France [P. 529.] & Ireland King, defender of the Faith, &c.

By his Excellency[s] Comand. J. BELCHER.
Ric[d] Waldron Sec[y].

GOD SAVE THE KING.

Wednesday November the 1st 1738.

The House met according to Prorogation by his Excellencies Proclamation.

Mr. President Walton came into the House and said his Excell[y]

ordered the Gen^{ll} Assembly to be adjourn'd to Thursday the 2^{d} ins^{t} at 3 o'clock, afternoon and then Declared the Assembly adjourn'd accordingly.

Thursday November the 2^{d} A. D. 1738.

A Mess^{a} from his Excell^{y}, viz. that his Excell^{y} Required the attendance of Mr. Speaker and the House at the Council Board at Mr. Treasurer Sherburn's House. Mr. Speaker and the House met accordingly. His Excellency made a speech. Mr. Speaker pray'd a coppy, obtain'd it and Return'd.

His Excell^{ys} speech Read in the House as follows

Gentlemen of the Council & of the House of Representatives :

Since I met you last in the Gen^{ll} Assembly I have nothing new in Comand from his Maj^{tie} Respecting this Province. The happy tydings we have Received of the Birth of a Prince (Presumptive heir to the Crown of Great Brittain) gives us the opportunity of addressing his Maj^{tie} with dutifull congratulations on the joyful event.

By the Letters I have received from White Hall by the last ships I have no account [p. 530.] of the settlem^{t} of the Boundary Lines between this & the neighboring Province to which great affaire I wish a speedy and happy Issue.

You will do well to make a carefull Inquiry into the State & circumstances of the several Publick Loans and to see whether the Late Acts Respecting them are complyed with. By one of the Last Ships from London a p'son bro't into the neighboring goverm^{t} a number of Counterfeit Bills of the last Emission of this Province, & by the vigalence of that Goverm^{t} one of the actors of this villainy is seized with the Plate & some of the Bills. It will therefore be wise in you to project some good Bill to be pass'd into a Law to prevent the forgeing of your Bills of Credit, or their vallue must necessarily sink & the Practice must bring other fatal consequences on the Province.

Gentlemen of the Council and of the House of Representatives

If you have anything to lay before me for the Publick Weal I shall give my chearfull attention to it. Unanimity in the affairs of this sessions may soon bring it to a happy conclusion, nor shall any thing be wanting on my part to advance his Maj^{ties} Hon^{r} & Interest together with that of the wellfare of his People. 9^{br} 2^{d}, 1738.

J. Belcher.

Whereas Mr. Robert Boyce is gone beyond Sea & so there's no Representatives for the Town of Londonderry, Ordered that a Precept be forthwith sent to said Town to make choice of a fit p'son to Represent them in Gen^{ll} Assembly to appear the 8th curr^{t}.

Voted, that Nathaniel Weare & John Rindge Esqs. be a Comittee of this House to draw an answer to his Excellency's speech and make return to the House for approbation.

[p. 531.] Voted, that Mr. George Walton & John Rindge Esqs. be a Comittee of the House to joyne with such as the Honble the Council shall appoint to draw up the Address to his Maj^{tie} congratulating the occasion of the Birth of the young Prince.

Voted, That Mr. Jotham Odiorn & Mr. George Walton be a

Comittee of this House to Joyne with such as the Honble the Council shall appoint to tell over the money to be burnt this Sessions.

Then the House adjourn'd to the 3^{d} curr^{t}.

Fryday November 3^{d} A. D. 1737 (1)

The answer to his Excellency's Speech was Bro't in and Read as follows, viz

May it Please your Excellency.

We hope we of this House are met togeather with a true desire to do those things that may be for his Maj^{ties} Hon^{r} and the good and benefit of his subjects in this Province whome we Represent. And your Excell^{y} assuring us in your Speech your rediness to do, and have put us in mind of those things which are of concern^{t} for the good of this Province, we hope it will cause the greater unanimity & Despatch with us.

And we shall gladly congratulate his Maj^{tie} and take the op'tunity to chuse a Comitee of this House to joyne with such gen^{t} as may be appointed at the Board to draw up what may be tho't proper in order to address his Majesty on the joyfull tidings of the Birth of the Prince. As to the Boundary Lines between the two Provinces we should have been very glad to have heard that it had been settled & hope that in a short time it may come [P. 532.] to a good Issue. Respecting the Publick Loans we shall appoint a Comittee of this House to joyne with such of the Councill as may be appointed at the Board to take an Exact Account of what is Bro't in and how those affairs stand & then we shall consider what is propper to be done in order to comply with the former acts as neare as may be. As to the Bills of Credit that has been lately counterfeited we shall take it into consideration and use the best means we can to put a stop to such evill practices.

Novem^{r} 3^{d} 1738. Andrew Wiggin, Speaker.

Voted accepted and to be sent up with the vote to address on the Birth of the Prince and the vote for a Comittee for telling the money to be burnt.

A Mess^{n} pr Ellis Hurst,(2) Esq. with several Petitions.

Post Meridiem

A Petition of the inhabitants of North Hill in hampton praying to be sett of a Distinct precinct &c., was read, and voted to serve the Select men of Hampton with a coppy & to appeare the 14th Curr^{t} if the Assembly be then sitting, otherwise on the 2^{d} day of the sitting of the Gen^{ll} Ass^{m} at their next sessions.

A Petition of the Inhabitants of the East End of Kingstown praying to be set off a Distinct P'ish, &c. the like vote thereon as above—both sent up.

Then the House adjourn'd to the 4th curr^{t}.

(1) So in the original. Evidently an error.—Ed.
(2) This name should be *Huske*.—Ed.

Saturday 9br the 4th A. D. 1738.

Voted, that all those affairs on Petitions &c. that were to be heard the 3d or 4th dayes of this sessions of Genll Assembly, that the hearings thereof be on the 14 & 15 days of 9br currt.

Ordered, That the clerk send to Dover & Exeter Representatives that have been absent this Sessions to appeare Monday next to attend his Majtie Service in Genll Assm at their [p. 533] Perril. A message from the Board pr Theo. Atkinson Esq. that the votes on the North Hill Petition and Kingstown Petition was concurr'd, and that Geo. Jaffrey and Mr. Secretary was joyned the Committee to address, and that himself and Ephraim Dennet, Esq. were to joyne in telling the money to be Burnt.

A Petition from the Proprietors of Nottingham and a Petition of Benjm Rust was Bro't in and ordered to lye till there be a full House.

Then the House adjourn'd to the 6th currt.

Monday 9br the 6th A. D. 1738.

There being a thin House, The House adjourn'd to the 7th currt.

Tuesday 9br the 7th A. D. 1738.

Capt. Jona. Lad Presented a Petition praying Releif about the Division of an Estate, &c. Read & voted thereon that he serve the Sevll Parties concern'd with a Coppy & to aper the 14th currt to shew cause, &c.

A Petition of Joseph Pevy Praying that he may have allowed him £11: 10. Bills of Credit of this Province, being so much he had Burnt in his chest with the other money at his Lodgins in Berwick, he having made oath to the same & several parties appearing made it manifest it was so. Voted, That the Treasurr pay the said Joseph Pevy the sum of £11: 10 out of the money now to be Burnt.

Post Meridiem.

Voted That Thomas Packer & Mr. Samuel Palmer be a Comittee of this House to joyne with such as the Honble the Council shall appoint to Draw up an Act for the better Security against counterfeiting the Bills of Credit of this Province & against any p'son that shall be discovered to Engrave any [p. 534.] Plate for Printing off such Bills or any p'son that shall keep such Plate in his possession without discovery thereof within 24 Hours or any p'son that shall utter knowingly such counterfeit Bill or Bills to all or any part thereof (as shall be tho't fit) to be Fellony without benefit of Clergy, or falsifying any figures or letters in any

Bills, or counterfeiting any Bill with pen or Pencil, &c. Then the House adjourn'd to the 8th curr^t.

Wednesday 9^br 8th A. D. 1738.

For expedition of the Business of this Session, Voted, That John Rindge & Nathl Gillman be a Comittee of this House to joyne with such as the Honble the Council shall appoint to tell over the Loan money in Mr. George Jeffreys hands.

A Mess^a from the Board pr Mr. Secretary that the Council could not come in the above vote for a second Comittee. For then there would not be a Council to act any thing. Mr. William Parker, (as one of the selectmen of Portsmouth) Bro't in a memorial for an act to Enable Selectmen and assessors to make Province Rates &c. which was Read.

Post Meridiem

A Petition of the Inhabitants of Nottingham praying Releif ag^st the non-resident Proprietors about the paym^t of their ministers Rates was Read.

Then the House adjourn'd to the 9th curr^t.

Thursday November the 9th A. D. 1738.

The Draught of an Address to his Maj^tie bro't in & Read and voted it be accepted fairly writ over Sign'd and sent as soon as possible.

[Copied from MS. "Addresses to the King," in Secretary's Office, pp. 11, 12, November, 1738.]

To the Kings Most Excellent Majesty—

The humble Address of the Governour, Council & Representatives of your Majestys Province of New Hampshire in New England in America.

Most Gracious Sovereigne—

We beg your Majesties Royal permission to embrace this first opportunity to present to your Majesty our most humble & dutifull congratulations on so happy and important an Event as that of the birth of a Prince descended from your Majesty, and the immediate offspring of their Royal Highnesses the Prince and Princess of Wales.

This great occasion of our Address, is a great occasion for our joy, and our joy is great in proportion to the occasion; for it is not our Remoteness from the Brittish Throne that can abate an iota of our allegiance, nor the vast ocean that seperates us from our Sovereign that can quench or cool our affection to Him.

If it be our misfortune to be a thousand leagues distant from your Majesty, It is our happyness that we can boast of as true a (New England) loyalty as that of the most faithful Britons, and that we have as warm hearts and as willing hands ready for your Majesties service as the Loyalest of your British subjects.

What we crave leave further to offer is, to assure your Maj^tie of our ardent

Prayers to the Almighty King of Kings, that He will be pleas'd to save his anointed by the Saving Strength of his Right Hand, and that after your Majesty shall have changed your Earthly Diadem for a heavenly crown, and that after his Royal Highness the Prince of Wales shall have received a never fading Crown in the Realms of Bliss, the new born Prince may in a Regular Succession long weare that Crown which now flourishes on your Maj^ties Royal head.

We are with all possible duty and respect, may it please your Majesty, your Maj^ties most obedient & most Loyal Subjects and servants.

Post Meridiem.

[P. 535.] Upon reading Mr. Parkers Memorial, Voted That the Rates and assessments made by the select men and assessors in the several Towns & p'ishes within this Province according to comon custome for the defraying of the Province charges for the time past, shall be accounted good and valid to all intents and purposes as the Rates made by them for defraying the Town charges &c. and that for time to come The selectmen and asses^rs for each Town and p'ish or Precinct within this Province shall have full Power to make asses^mt in the Poles & Estates of all within their precincts for defraying the Province charge as they have by Law for defraying Town charges & by the same Rule and that an Act be drawn up to impower them so to do. The above votes sent up.

Eod^m die. A Mess^a from the Board pr Mr. Sherrif that the above votes was concurr'd.

Then the House adjourn'd to the 10th curr't.

Fryday, November the 10th A. D. 1738.

Voted That Joshua Peirce, Esq. be Recorder of Deeds for one yeare & untill the End of the next sessions after the yeare is expired and that he take and receive for Every Deed he Records two shillings and sixpence for his attestation on the same and the like sum for giving Coppys of Deeds &c. and no more.

Mary Williams prefered a Petition praying liberty of a Retailing Licence free of Excise. Read & voted she has a Licence till next 7^br paying Excise & keeping good orders.

Post Meridiem

Mr. Secretary Bro't a Mess^a that the vote for a Recorder was concurr'd and that on Mary Williams Petition was nonconcurr'd.

Province of New hampshire, November the 10th 1738.

We the subscribers being a committee appointed by the [P. 536.] Gen^ll Assembly of the Province aforesaid to tell over and receive from the Treasurer of said Province & also from the Comittee of the £15000 Loan Such Sums of money as Each should have received on account of the said Province, accordingly we have in pursuance of the authority aforesaid told over and received the sundry sums herein mentioned & have Burnt the same in the Gen^ll Assembly, viz. Received from Henry Sherburn Esq. Treasurer as

part of the 1730£ Loan the sum of one thousand three hundred and thirty pounds £1330
Rec^d of Do. being old broken Bills in Exchange for the same Sum put into the Treasury, for that end, the sum of three thousand pounds, ... £3000
Rec^d. of Do. the sum of one thousand pounds, being the Province Tax for the year, 1737 . . . . . £1000

Sum total from the Treasury £5330

Rec^d of the Comittee for the 15000£ loane by the hand of George Jaffrey, Esqr one of the said Comittee, the sume of two thousand and foure pounds, and eight shillings, being part of the Loan £2004: 8
Sum total being Burnt this Sessions, ... £7334: 8

Ephraim Dennet Samuel Smith
Theo. Atkinson Geo. Walton.
Committee.

Then the House adjourn'd to the 11th curr^t.

Saturday, November 11th A. D. 1738.

A Petition of John Rindge praying an abatem^t of Powder money for Capt. Pipons Ship that was lost and Capt. Phil. Thomlinsons ship they coming here without goods and onely to get their lading.

Voted the Prayer of the Petition be granted.

Voted That Jotham Odiorn Mr. Samuel Smith & Mr. George Walton be a Comittee of this House to joyne with such as the Honble the Council shall appoint [p. 537.] to andit all such accounts as shall be bro't in to the Gen^ll Assembly for allowance this sessions.

A Mess^a from the Board the above was concurr'd and that Joshua Peirce, Joseph Sherburn & Ellis Huske Esqs. were appointed auditors to joyne the above.

Voted, That Richard Jennes & George Walton be a Comittee of this House to joyne with such as the Honble the Council shall appoint to Farm out the Excise of this Province to the Highest bidder by Vendue, giving a Publick notice thereof and to Farm it only from the 15th May last to the 15th of 9^br 1739, the Farmer to give good security to the Treasurer.

Then the House adjourn'd to the 13th curr^t.

[p. 539.] Monday, November 13, A. D. 1738.

A Mess^a from the Board that the Comittee appointed for the auditing the accounts was ready to attend the comittee from the house. The comittee for accounts being out there was not a full House to act. The House adjourn'd to the 14th curr't.

Tuesday, November the 14th A. D. 1738.

A Petition of George Townsend & Alexander Ross praying paym^t for their attend^a on the vessell Lying Quaranteen on account of the small Pox that the owners would not pay them, was Read and voted the Petition be Desmis'd.

Post Meridiem

Hampton Petitioners Heard, the opposite Parties present.

The East End of Kingston Petitioners heard, the opposite parties being present. N'th Hill Petitioners heard, the opposite parties being present. The Petitioners of the South P'ish of Portsm^o heard, the opposite parties present.

Then the House adjourn'd to the 15th curr't.

Wednesday the 15th November A. D. 1738.

All the above Petitions voted & sent up

The comittee on the accounts being out

The House adjourned to the 16 curr't

Thursday November the 16th A. D. 1738.

The North Hill Petition was sent down with a vote for amendm^t, viz. In Council 9^br the 16th 1738, Read & concurr'd with the following amendment, viz. that the Petitioners be Exonerated from paying to the support of a schoole at the old town of Hampton no longer than they support a writing and reading schoolemaster amonge themselves, and moreover that the Petitioners be not discharged from paying their Annual Proportion to the grant made by the said town of Hampton to the widow Gookin.(1)

Eod^m Die Read and concurr'd & sent up.

An act the more effectually to prevent the [p. 540.] counterfeiting the Bills of Credit on this Province Read three times and past to be enacted & Engrost. A 2^d Petition of Capt. Lads Read, & voted he serve all the parties concern'd w'th a coppy & to appeare the 22^d curr't if the Ass^m be then sitting, otherwise the 3^d day of the sitting of the Ass^m next Sessions. A memorial of the High Sherif, Kings Attorney & the keeper of the goal was read praying paym^t out of the Treasury for cost Taxed ag^t Philip Keniston who lay a long time in Prison for Burglary & Broke out & since Excut^d in the Province of the Mass^a for the like crime.

An Act for amendm^t of Errors & Defects in Reasons of Appeals & better advancement of Justice read three times & past to be enacted and Engros'd.

Then the House adjourn'd to the 17th curr't.

(1) Widow of the Rev. Nathaniel Gookin, minister in Hampton, who was ordained 1710, and died in 1734, aged 48 years.—Ed.

Fryday, November the 17th A. D. 1738.

An act for the more safe & Easy prosecuting writs of Ejectmt & Writs of Trespass and Ejectmt Read three times & past to be Enacted & Engross'd.

An Act for the more easy & speedy assessing & collecting the Province Rates and Taxes Read three times and past to be Enacted & Engross'd.

John Barker one of the Constables of Boston sent a memorial praying for some gratuity for his Extraordinary service in taking the Counterfeitor of our ten shillings Bills of Credit of the new Emission was Read. In the House unanimously Voted, that there be paid out of the Publick Treasury to the said Barker for his Dilligence in taking the p'son & Plate that counterfeited the ten shillings Bills of this Province the sum of £15, and that his Excellency be desired to Issue out his Warrant accordingly.

Post Meridiem

Voted that the thanks of the House be given to those gent. of Boston that were the cause of apprehending the p'sons & Plates for the counterfeiting the ten shilling Bills of Credit of this Province for their very great care and Dilligence in that affaire.

[p. 541.] Before the House had power to send the Last two votes up or the Committee of Audit on the Accounts could finish to make their Return,

Mr. Secretary came with a Messa from his Excelly, viz. that his Excelly Required the attendance of Mr. Speaker & the House at the Council Board. Mr. Speaker and the House went accordingly and after the several Bills past, his Excellency ordered Mr. Secy to Disolve the General Assembly.

And then Mr. Secretary declared the

Assembly dissolved accordingly.

Province of New Hampshire
In New England.

April 26, 1739. P'suant to an order from the Right Honble the Lords of the Comittee of Council for Plantation Affairs, dated White Hall January 30th 1738, I have given a coppy of this Journal to the gent mentioned in said Order.

James Jeffry.

[p. 542.] *Anno Regni Regis Georgii Secundi Magnæ Britanniæ, Franciæ, et Hiberniæ &c. Decimo-Tertio.*

A Journal of the House of Representatives of his Majties Province of New hampshire in New England, began and held at Portsmouth in the Province aforesaid October the 24th A. D. 1739.

The Persons Return'd according to the King's Writ to serve in Generall Assembly for the several Towns are as followeth, viz.

For Portsmouth,	James Clarkson Capt George Walker Mr. Hunking Wentworth
For Dover	Paul Gerrish, Esq. Thomas Millet, Esq. Capt. Thomas Wallensford
For Hampton	Mr. Samuel Palmer Capt. John Smith Capt Isabod Roby
For Exeter	Capt Peter Gilman Mr. Nathaniel Gilman
New Castle	Jotham Odiorn
Rye	Capt. Richard Jennes
Stretham	Andrew Wiggin, Esq.
Kingstown	Ebenezer Stephens, Esq.
Londonderry	Robert Boyce, Esq.
Newington	Mr. Geo. Walton
Durham	Mr. Samuel Smith
Greenland	Mr. Thomas Packer
New Market	Capt. Edward Hall

Mr. Secretary Waldron, & Elis Huske, Esq. came into the House and said they were authorized [p. 543.] to administer the Oaths to all the members return'd to serve in the Assembly that were present (and read the Persons names he had the return of) which when done, Mr. Secretary said that by order from his Excellency to the President that he should Prorogue the Assembly to the seventh day of the next month. Then Mr. Secretary Declared the Assembly Prorogued accordingly.

Thursday January the 31 Anno Dom. 1739.

The House met according to his Excelly's Prorogation by Proclamation Dated the 10th day of December, 1739.

Eodm Die. A message sent to his Excelly by Mr. Akerman to tell him a Quorum of the members were met.

Eodm Die. Mr. Secretary & Theo. Atkinson, Esq. came into the House. Mr. Secretary said they were come to Quallify the members that were not Quallified, which being done Mr. Secretary [said] that they were now Ordered by his Excelly to Direct the House to make choice of a Speaker.

before they proceeded to the choice of a Speaker, Capt. Thomas Wallensford came as a member from Dover: then a message was sent to desire his Excelly Capt. Wallensford might be Quallified as a member.

Eod^{m} Die. *Thomas?* Atkinson came into the House and said he had orders from his Excelly to Adjourn the Assembly till tomorrow ten clock A. M. and then Declared the Assembly adjourn'd accordingly.

February the First A. D. 1739–40 A. M. the House met. A Mess^{a} was sent to his Excell^{y} to Pray that Capt. Wallensford might be Qualifyed as member. The Mess^{a} Return'd his Excell^{y} desired the member to come to the Council Chamber. Capt Wallensford & two of the members went accordingly and after the proper Oaths Adm^{d} they return'd

[P. 544.] Then the House according to his Excell^{ys} direction proceeded to the choice of a Speaker. The members bro't in their votes for a Speaker.

Andrew Wiggin Esq. was chosen Speaker.

Then the House made choice of James Jeffry for their Clerk & he was sworn accordingly.

Then Thomas Millet, Esq. Mr. Nathaniel Gilman & Capt. Edward Hall was sent to acquaint his Excell^{y} that the House had made choice of Andrew Wiggin, Esq. for their Speaker which being done they Return'd

The House adjourned for two Hours P. M.

February the First P. M. the House met Eod^{m} Die. A message from his Excelly pr Theo. Atkinson & John Rindge, Esqs, viz. that his Excell^{y} Required the attendance of the House at the Council Chamber at Coll. Henry Sherburn's. Mr. Speaker and the House went accordingly. His Excell^{y} made a Speech. Mr. Speaker obtained a copy & with the House return'd

The speech was read, viz

Gentlemen of the Council and of the House of Representatives—

The last Ships from England have bro't us his Maj^{ties} Declaration of War against the King of Spaine & this Extraordinary event will greatly affect the commerce and safety of this Province, it ought then to be your first care in this Sessions to have the Publick Treasury well supplyed that the Frontiers by Sea and Land may be put into a State of defence. You will also take the needful care for paying the just Debts of the Province & for the further support of the Government.

Fort William & Mary the only Fort of the Province is in a poore condition for defence and I shall in a few days lay the Particular State of it before you when I hope you will do what may be necessary on your [P. 545.] part that it may be sufficiently Repaired and Furnished with all Warlike Stores and with men and thereby render it capable of Protecting the People and Trade of the Province. You are sensible, gen^{t}, I have often recommended this matter to former Assmbly^{s} whose answers have been that the People were not able to support this Fort nor defray the other necessary charge of government.

I am glad to observe to you that the officers of the Millitia tell me the two Regiments of the Province are well Furnished with Arms & Amunition & that they are Exercised according to Law. But that the appearances are thin on Muster days the fine for non appearance not being equal to twelve pence sterling, and altho' I have often urged the raising the millitary Fines on former Assembly's yet nothing is done in it to this day. I would therefore

now again Earnestly recommend this matter to you that the private companies in their musters and also the Regiments at their Gen^ll musters may be full and so the whole militia better disciplin'd and fitted for the service when ever there may be occasion for them. Such a Law as I now mention past about two years ago in the Mass^t Bay and the fine appearance of the militia of that Province is hardly to be Equalled in any of his Majesties American Dominions.

I would take this op'tunity also to repeat to you the Instances I have made once and againe to other Assemblys for bringing in a good Bill for the more Effectual preservation of the mast Trees for the Royal Navy.

You may depend you cannot in any proceedings of this Sessions more recommend the Province to the Favour of the King than by making ample Provision on this head and it will be better taken at this time when there may be a great Demand for masts for [p. 546.] the Large Fleet the King has lately Equipped. You will, Gen^t. give attention to what I have now laid before you so much consequence to his Maj^ties Hon^r & service as well as to the welfare and Prosperity of his good subjects of this Province and whatever you may have to lay before me to the same good purposes I shall readyly joyne with you in and so this sessions may be bro't to a happy Conclusion.

February the 1st, 1739–40. J. BELCHER.

The Sec^y & Joseph Sherburne, Esq. bro't a Petition from the Congregation under the care of the Rev^d Mr. McGregor in Londonderry & said it had been read at the Board.

The Petition was read in the House and voted as the Petition. Theo. Atkinson Esq. Bro't down a Petition from the Board pr'fer'd by the South P'ish in Portsm^o read & voted as on the Petition.

Then the House adjourn'd to the 2^d curr^t.

Saturday, February the 2^d, the House met.

Voted that James Clarkson Esq. and Mr. Jotham Odiorn be a Comittee of this House to draw an answer to his Excelly^s Speech and present to the House for approbation.

Voted that Messrs Hunking Wentworth & George Walton be a Comittee of this House to joyn such as the Honble the Council shall appoint to audit the Province accompts this sessions and to make their return to the Generall Assembly for acceptance. This vote, Londonderry Petn. & Portsm. South Parish Petn. Sent up pr Mr. Packer & Wallensford.

Voted That Thomas Millet Esq. Mr. Hunking Wentworth & Capt Peter Gilman be a Comittee of this House to joyn with such as the Honble Council shall appoint to tell over all such money as shall be bro't into the Gen^ll Assembly to be Burnt this Sessions and to make their return to the Gen^ll Assembly. Sent up pr Smith & Roby.

[p. 547.] The House Adjourn'd to Monday next to 10 o'clock, A. M.

Monday Feby 4th A. D. 1739–40 the House met.

A message sent up pr James Clarkson & Robt Boyce, Esq. to

the Board to know if they had acted on the votes for the Comittees, who returned for answer that the Sec^y said they had and then they Delivered Another Mess^a to his Excell^y, viz. to pray him to direct the Treasurer to bring in his accompts.

In the House, Voted that Joshua Pierce Esq. be recorder of Deeds for the Province of New hampshire for the yeare Ensuing and untill the end of the next Sessions of Gen^ll Assembly after the yeare is up, and that he take and receive for every Deed he Records two shilling and six pence and six pence for his attestation thereon and the like sum for Every Coppy he gives out and no more.

In the House of Representatives, Voted that Capt. Richard Jennes & Mr. George Walton be a Comittee of this House to joyn with such as the Honble the Council shall appoint to Farm out the Excise of this Province to the Highest Bidder by Vendue giving Publick Notice thereof and to farm it from the 15th of November last to the 15th of November next, the Farmer to give good security to the Treasurer. Sent up pr Mr. Packer.

The House adjourn'd to the 5th curr^t. A. M.

Tuesday February the 5th A. D. 1739, the House met.

A mess^a sent to see if their was a Council The answer Returnd was that the Council were adjourn'd till to morrow 10 o'clock A. M.

The Question was put whether the House should continue their Agent in Great Brittaine. It past in the affirmative, And Voted as follows, viz.

Province of New hampshire.

In the House of Representatives—

[P. 548.] Whereas John Thomlinson of London in Great Brittain, Esq. Agent for this House hath wth great Prudence, Dilligence & Industry pursued the Instruction he hath from time to time received from former Assemblys in relation to the settlem^t of the Boundary Lines & all other affairs for the well being of this Province—Whose conduct hath always been to the great acceptance of former as well as to this House, Wherefore Voted, that the hearty thanks of this House in the name and behalf of the good People of this Province whome we Represent be given to the said John Thomlinson, Esq. and he is hereby Earnestly desired to continue his good offices in Prosecuting all affairs on behalf of this House that may yet lie before his Majestie in Council or may come before his Majestie in Council relating to this Province, and that he is by this vote fully authorized & appointed Agent for this House and as such to act & Transact any such thing or things as shall be transmitted him by the Comittee for the good of this Province And that Mr. Speaker Wiggin, John Rindge Esq. Mr. Thomas Packer, Mr. Samuel Palmer, Mr. Samuel

Smith, Capt. Icabod Roby & Mr. George Walton be a Committee of this House to write the said Agent & send him a Coppy of this vote Feby the 5th 1739–40

James Jeffry Cler. Asm.

Capt. Peter Gilman, Capt. Edward Hall & Mr. Nathaniel Gilman Entred their Dissents against the vote for the Agent.

The House adjournd to the 6th curr^{t}. A. M.

Wednesday Feb. the 6th A. D. 1739–40 A. M. the House met.

Ebenezer Stephens, Esq went with two members to the Council Chamber to have the proper Oaths Adm^{d} as a member of the House.

In the House of Representatives,

Whereas this House on the 4th curr^{t} sent a Mess^{a} pr Messrs Clarkson & Roby to know if the Board had acted on the votes of the House [P. 549.] relating to the Comittees appointed for auditing the Province accompts and telling of money, This House not having had any message as yet from the Board who they have appointed in these affairs, the House Waits to know who they are that they may proceed to business. Sent up the vote for Recorder pr Mr. Packer.

Theo. Atkinson Esq. bro't down a Petition of Hugh Adams, (1) And a vote of Council about the Comittees, viz.

In Council, Feb. 6th 1739—

Whereas Messrs Clarkson & Boyce came to the Council Board on the 4th Inst to Inquire whether the Council had acted on the votes of the House for appointing an audit and on the vote for telling the money to be Burnt who were then answered by the Secretary that the Council had concurred with their votes & the Gen^{t}. appointed to be auditors on the part of the Board went immediately to the House of Representatives and acquainted the Gen^{t}. chosen on the part of the Assembly (or at least so many of them as they could find) that they of the Council were ready to joyn in the Business and the Gen^{t} auditors of the Council are now waiting for the Gen^{t} of the Assembly to proceed to Business And the Comittee on the part of the Council for telling the Bills are likewise ready to proceed in that business. Eph. Dennet, Jos. Sherburn & Ellis Husk, Esqs. are the Comittee of Audit and Geo. Jaffrey, Joshua Pierce & Theo. Atkinson, Esqr are of the Comittee for telling the Bills, Ordered to be sent down.

Richard Waldron, Sec^{y}.

(1) In "*Miscellaneous Papers*" following this Journal of the House, see Petition and Letters of Rev. Hugh Adams of Durham. Mr. Adams was a man of remarkably eccentric character, and the papers respecting him are matters of singular interest and curiosity.—Ed.

The Rev. Hugh Adams Petition read and ordered to lie for consideration.

P. M.

The same Petition read again and the Petitioner call'd in to explain his Petition. And after hearing, voted that the Petition be dismiss'd.

The Rev. John Blunts Petition read & Debate thereon, Voted that the Petition be Dismist.

[P. 550.] A Petition of John Flood read and debated on and voted That the Petition be Dismis'd.

The House then Adjourn'd to the 7th curr^t. 9 o' the clock A. M.

February the 7th A. D. 1739–40 the House met.

Upon reconsidering the vote of the House on the South Parrish of Portsm^o Petition of Feb. 1st Voted that the Petitioners serve the Wardens of the North Parrish with a Copy of the Petition & the order. Sent up againe.

The question was put whether the Millitary Fines shall be Raised. It past that the fine for a centinels non appearance shall be ten shillings instead of five shillings and for a Trooper twenty shillings instead of 10s.

And that for Delinquents in Millitary Watches the fine for non appearance to be 10s instead of 5s to continue for 3 years & no longer. The House adjourn'd to the 8th curr^t.

Friday, February the 8th A Dom^o 1739–40 A. M. The House met.

Sent up the vote for Farming the Excise Mr. Adams Mr. Blunts & Floods Pet^n pr. Messrs Wentworth and Palmer.

John Rindge, Esqr. Bro't down the Papers from the Board relating to Capt Ladd's affaire. Joseph Sherburne, Esq. bro't down a Petition of Col. Waltons.

P. M.

Capt. Ladds affaire Heard. Mr. Amory Council for the Petitioner and Matthew Livermore, Esq. Council for the Respondents. After hearing the House Deliberately Debated on the several Parragraphs of the Petition referred to the House to be dismis'd.

The House Adjourn'd to the 9th curr^t A. M.

Saturday February the 9th A. D. 1739–40. A M the House met.

Capt. Ladd's Petition sent up pr Mr. Packer. The House adjourn'd to Monday the 11th curr^t 10 oclock A M.

[p. 551.] Monday Ffeb the 11th A. D. 1739–40 the House met. Mr. Secretary Bro't Down Chester Petition, Mr. Blunts Petition & a vote of Council thereon, And also a Messa viz. That Comittee for telling money and for auditing accounts from the Board were ready to attend and has been so 2 or 3 dayes—The Comittees of the House went on those affaires. Mr. Odiorn one of the Auditors last Sessions bro't in an account of Mr. Treasurer Sherburn & left in the Clerks Box;—the vote of Council Relating to Mr. Blunts Petition read viz. In Council Ffeb the 9th 1739. Upon reading the Petition of the Reverend Mr. Blunt, dated the 5th instant, praying the paym't of what is due to him as a Gospel Minister on the Great Island, &c. & also the vote of the House thereon of the 6th Inst. Dismissing said Petition as sent up yesterday, the Council find that by an Act of this Governt (which is part recited in said Petition) there was a grant made to the minister of said Island for the consideration in said Act mentioned for the sum of £24, to be annually paid out of the Excise, which said Act hath not been in any respect repealed or set aside, That the Council knows of—For tho' the fund mentioned in said Act for the payment of the said money hath by a later Act been otherwise appropriated, yet the Council can by no means think the Justice or Reason of the Petitioners Demand anyways affected thereby, it appearing in this light to the Council they are at a loss to know the reason that prevail'd with the House in their said vote the Council not having heard the Petitioner on the Premises and therefore would be glad the House would enlighten them therein before they proceed to vote thereon. Ordered to be sent down

Richd Waldron, Secy.

The House adjourn'd to the 12th Ffb. currt 9 o'clock, A. M.

[p. 552.] Tuesday February the 12th A. D. 1739–40. A M The House met. Mr. Joseph Dearborn's Petition read & Voted as on the Petition, the Comittee for Auditing the Accompts waited on the Comittee of Council to go on that affaire. The Comittee appointed by the Council told them they were ordered to attend as the Council and could not attend the Audit. Mr. Sherrif Russel Bro't in a memorial relating to the Prison which was read.

Voted that the Act of Trespass made in the 11th yeare of the Reign of King George the first 1724, be revived in every clause thereof and continue for 5 years and that an act be drawn up accordingly.

P. M.

Voted That there be an Additional act made to the Millitia act of the 4th George relating to the delinquents non appearance on Training days, viz. that every person liable to Traine & duly

warned and not appearing & atending the same shall for each dayes neglect pay ten shillings Instead of five shillings in the abovesaid Act of the 4th of George and that the fine in Millitary Whatches for non attendance in Watching or Warding be ten shillings instead of five shillings mentioned in the said act of the 4th of George. And that every Trooper for non appearance at the time and place of Exercise for each dayes neglect shall pay a fine of twenty shillings instead of ten mentioned in the Act of the 4th of George, and that the act continue for three years & no longer & that the fines be gathered and disposed of as in the act of the 4th of George aforesaid and that an act be drawn up accordingly and that Capt Edward Hall & Capt. Tho. Wallingsford be a Comittee of this House to joyne with the Honble the Council shall appoint to draw up the above Additional Acts and present them to the House as soon as may be. Mr. Sherrif Russels memorial read and voted that Capt. Edward Hall & Ebenezer [p.553.] Stephens Esq. be a Comittee of this House Joyn Such as the Council shall app^t to survey the Prison & see what repairs are wanting and make their Return as soon as possible.

The House adjourn'd to the 13th curr^t 9 o'clock A. M.

Wednesday Ffeb the 13th A. D. 1739–40 the House met The vote for the revival of the late Trespass act and vote on Mr. Russels memorial Sent up pr Mr. Walton.

Mr. Secretary came with a Mess^a from his Excell'y, viz. That the House would not disperse for he had something to send down. The House ordered the Cler. to write counterfeit on a 25s Bill sent by Mr. Treasur^r for allowance.

Mr. Secretary bro't down the Parrish of Kingstown Petition & Londonderry mens Petition and said that was all at present. The comittee for telling money bro't in & Burnt £438 : 9 : 7.

P. M.

The Londonderry Petition Read & heard by their Council. The Petition of the Inhabitants of the East end of Kingstown read and the Parties heard by their Council and after hearing the Kingstown Petition, Voted that there be a Comittee to go and view where it may be proper to affix a line and that the Petitioners pay the Comittees charge and that Mr. Thomas Packer and Capt Edward Hall be a comittee of this House to joyn with such as the Honble the Council shall appoint to go on the place in the Recess of the Assembly and see and take and make the best observation they can where a line may be fixed and that they make Returns to the Genl Assembly the third day of the setting of the Genl assembly at their next sessions. Ordered the Londonderry mens Petition lie till tomorrow morning.

The House adjourn'd to the 14th curr^t 9 o'clock, A. M.

Thursday, Ffeb the 14th A. D. 1739–40 A M the House met. Kingstown Petition sent up.

[P. 554.] Mr. Wm. Parker bro't in a memorial for an act to be made relating to admission of Town Inhabitants &c. which was read and voted that Mr. Hunking Wentworth & Capt. Edward Hall be a Comittee of this House to joyne with such as the Honble the Council shall appoint to draw up an act Relating to admission of Town Inhabitants & appointing Comittees &c for viewing old defective Houses and chimneys & for regulating the Poor and putting out such children apprentice as are like to become chargeable to any Town or precinct or whose Parents do not take due care of them.

P. M.

The comittee for answering his Excell^y's Speech bro't in their Draught which was read and Debated Parragraph by Parragraph.

The comittee for telling the money bro't in & Burnt £150 : 11 : 4 from the Treasurer.

The House adjourned to the 15th curr^t.

Fryday Feb. the 15th A. D. 1739–40, the House met. The answer to his Excell^ys speech read againe and debated upon each Parragraph and voted accepted and to be writ out faire and sent & is as follows, viz.

The answer of the House of Representatives to his Excelly^s Speech of Feb. 1st 1739.

May it please your Excellencie

The House have maturely *waid* your speech and we are verry sensible that his Maj^ties Declaration of Warr with the king of Spaine (which we have long expected) will greatly affect the commerce and safety of this Province and we shall do all in our power that the Frontiers by sea and land may be put in a state of Defence & also for paying all the just Debts of the Province & support of the Government.

This being the first opportunity we have had of makeing any supply to the Publick Treasury or repaire [P. 555] of the Fort, since that ample supply made in the yeare 1737, in as much as your Excell^y was pleased to Disolve the last Gen'll Assembly before the House had finished the Treasr^s Accompts—So if now we should make that ample supply that your Excell^y recommends & Emit such a Quantity of Bills as are needful to this purpose unless the Period of theire being called in can Extend beyond the yeare 1742, we feare it would be an insupportable Burden to the People and we should bring upon ourselves a greater or more certaine misery than that which we pretend to remedy.

As to the Repairing Fort Wm & Mary your Excell^y cannot but remember the act that once past both Houses for raising £6000 for that purpose and Building a State House to which you refused your assent and the assembly in 1737 choose a Comittee to view what was Deficient in the Fort, and agreeable to their return made ample Provision therefore in the Treasury Bill for repairing platforms Carriages &c. and when former Assemblys made any such answer as that they were unable to support this Fort and to defray the other necessary charges of the government they gave also their reasons at the same time, viz. because they could Raise no money but what must come in within

the before mentioned Period, and in denying to lay a Tax upon the People under such limitation they acted agreeable to the sentiments of their constituants.

And here we cannot but take notice that tho' your Excell^y Directs your Speech to the Council joyntly with us as to the matter of the Treasury, We the Representatives of the Province look upon ourselves as the persons that are more immediately concern^d and that are Principally and Directly to be applyed to upon that Head.

[P. 556.] And as your Excell^y calls us to look back upon what was done by former Assemblys we find upon a Review that they have been ready not only to vote what was needful to discharge the Debts contracted by the whole Government, but to pay such sums as have been expended for the bennefit of it (Pursuant to his Maj^ties Commission for the settlement of the Boundarys) did at their sessions at Hampton October 14th 1737 pass a vote for the sum of £500 to be put into the Treasury for the payment of the commissioners & other charges relating to the Boundary Lines. But it had not the desired effect.

And the House of Representatives after frequent and Repeated Disolutions have mannifested their opinion that it was for the Interest of his Maj^ties subjects to pursue y^t affaire: With respect to what you mention of the fine appearance of the militia of the neighboring Province which we have heard much of before in the Publick Prints — We should only say we are glad your Excell^y has had the pleasure of seeing it and that tho' ours may never equal them in show we shall be glad to do every thing in our power that they may be capable of doing as much real service when called to it. From your Excelly^s so earnestly pressing the effectual preservation of the mast trees for the Royal Navy and from what you are pleased to say of the instances made once and againe to other assemblies we hope that neither his Majestie nor any of his good subjects (whatever opinion it may give them of your great care) will be induced to conceive that this Province has been any ways defective upon that head. We find indeed that upon a complaint made to your Excell^y by the Surveyor Gen^ll of his Maj^ties Woods you was pleased to recommend it in your speech to the Gen^ll assembly in the yeare 1730, viz.

[P. 557.] "Gentlemen — I am sorry to have the occasion to Inform you "that since my arrival from Great Britain the Surveyor Gen^ll of his Majesties "Woods has made large complaints to me of the Difficulties he meets in this "Province in the Execution of his Duty according to the Kings Instructions. "I am commanded to take especial care that the several Acts of Parliament "relating to the Royal Woods be strictly observed and to aid and assist his "Majesties Surveyor by my self & all officers under me to prevent as much as "possible the Destruction of the Kings Woods and that all officers (1) therein "may be bro't to condigne Punishment. I therefore depend on your great "rediness to discountenance every thing that may have a tendency to preju-"dice his Majesties service and Interest in an affaire of which he is so tender "and of such Importance to his Royal Navy & I do assure you that the Enact-"ing such Laws as may be further necessary for the better security & pres-"ervation of the nursery of Royal Masts will be taken as an instance of your "Duty and respect to the King."

And we at the same time find that they made the following Answer, viz.

"And for the preservation of his Maj^ties Woods, as we always were ready so "we shall always remain ready & willing to do any thing that we can which "may contribute to the preservation thereof according to the several Acts of "Parliment made for that end and if there be any acts that may be made for "the preservation of a nursery of Timber which may be fit for the Royal "[Navy] we shall be ready to do any thing that we can for the preservation "thereof."

And its well known that we have a Law in the Printed Law book laying a hundred pounds sterling Fine upon one that shall cut down a mast Tree,

(1) Offenders. ?—Ed.

which together with the Acts of Parliament already made are so well contrived that not any thing that we can do can possibly mend them [P. 558.] And if his Majesties Surveyor Gen^ll & his officers had the needful aid and favour from your Excell^y & officers that is required, we hope that for the future no p'sons will be so vile as to Trespass in this great affaire as they have doutless heretofore done. And if any thing farther can be done on our part we shall be ready to do it.

We wait every day in Expectation of hearing his Majesties Decision in Council respecting our Boundary Lines and when we know the Frontiers of our Province (and who they are that must contribute towards the support of the Government) we shall then be the better able to put them in a State of Defence.

Upon the whole as we think there is an inseparable conection between his Majesties Honour & Service and the True interests of the Province, we shall be always governed by those views. And as former Assemblys by their Dutyfull behavior have already recomended themselves to the favour of their Sovereigne we doubt not but that we shall have the continuance of it being resolved to do every thing that can be expected from a good and Loyal People.

February 15th 1739-40.

Andrew Wiggin, Speaker.

Thomas Millet Esq. Entered his Discent ag^st the answer of the House to his Excell^ys speech as now voted to be copyed & sent. Capt Peter Gilman, Capt. Edwd Hall and Mr. Nathaniel Gilman Does the like.

The Comittee appointed to write to our Agent Bro't in the Letter they had writ to send him which was read & signed in the House and ordered to be sent with a coppy of the vote which Letter and Coppy left on file (1) was examined in the House.

Derry Petition And Mr. Parkers Memorial sent up pr Capt Hall.

P. M.

Mr. Secretary bro't a message from his Excelly and read it and laid it down with a Return of the Gen^t his Excell^y sent to view the Fort. His Excelly^s message as follows, viz.

Gentlemen of the Council and of the House of Representatives.

[P. 559.] I have ordered Mr. Secretary to lay before you the particular state of Fort Wm & Mary the only Fortress of this Province, and except the Guns formerly presented by the Crown to the Province it is naked of every thing necessary for Defence. You will therefore wisely consider the danger of the Province in this time of War and do your Duty to the King and his People by raising money to put the Fort into good repaire and supply it with men, powder, and all other necessary war-like Stores.

Feb. 15th 1739-40.

J. Belcher.

His Excelly^s Warrent & Return of the Committee as follows, viz.

To the Honble Joseph Sherburn & John Rindge, Esqs.

You are hereby authorized and directed to repaire to his Maj^ties Fort Wm. & Mary on the Great Island as soon as may be with convenieney, and to take a view of the said Fort and of all the Stores of war therein and report to me the State and Condition of the said Fort and render to me an account of the said Stores under your hand And the Honble Shad^a Walton, Esq.

(1) This letter cannot now be found.—Ed.

Capt. of the said Fort is hereby ordered to receive you into the same & to shew you the said Fort and Stores in order to your Effectual executing this Warrant.

Given under my hand at Portsmouth the 13th day of Feb. 1739–40, and in the 13th yeare of his Majesties Reign.

J. Belcher.

In obedience & pursuant to the within Order, We, the Subscribers did repair to his Majesties Fort Wm & Mary on the Great Island which with the Stores therein was shown to us by the Honble Shadrick Walton, Esq. the State and account of which is as underneath, viz.

The walls on the South part of the Fort verry much broken & decayed, the Platform rotten, nine guns on that line mounted & five of the carriages verry much decayed, 4 guns mounted next the flaggstaff pointing to the South and one of the Carryages Rotten, 4 guns mounted at the East end of the Fort in good Order, [p. 560.] on the north side of the Fort 13 guns mounted pointing up the River, the Platform on which they Stand & the Carrigages verry good, at the Fort on each side of the Gate a gun mounted but one of the Carryages rotten, without the Fort 9 field peices mounted in good order, the Powder House in good order to receive Powder, with one half bbl. of powder only therein with a bundle of match & abt a Reame of Cartridge paper. Nigh the Powder House in the Fort 4 pile of shot about 1000 in number and in the old Guard House abt 200 shot for the Field pieces. The old Guard House verry much decayed, the Gunners House verry much out of Repaire, 17 small arms one of which onely fitt for present use, 21 Cartridge boxes, 8 formers, 12 ladles, 4 worms, 7 spunge heads 6 Ramer heads, 2 boxes of partridge shot, 20 aprons for guns, 7 iron Crows 7 Crab handspikes, the Centry Boxes all gone.

Fort Wm & Mary, Joseph Sherburn
Feb. 14, 1739–40. J. Rindge.

An act to Enable Proprietors of Townships & common & undivided lands to asses & Tax &c. read 3 times & past to be enacted & engross'd & sent up pr Capt. P. Gilman

Mr. Secretary bro't down the Petition of the South Parrish in Portsmouth. Suspended til next Sessions.

Theo. Atkinson, Esq. bro't down Math. & others Petition which was read & voted it be dismist.

The House adjourn'd to the 16th curt.

Saturday, Feb. 16th A. D. 1739–40 a. m. The House met.

The answer of the House to his Excellys speech sent up pr Messrs Hall, P. Gilman & H. Wentworth.

The House adjourn'd to Monday, the 18th curt 10 o'clock a. m.

Monday Ffeb the 18th A. D. 1739–40 the House met.

The House adjourn'd to the 19th curt a. m.

Tuesday, Ffeb. the 19th 1739, a. m. the House met.

[p. 561.] Voted That Nathaniel Gilman & Mr. Samuel Palmer be a Comittee of this House to wait on the Treasurer and ask

him whether he has drawn out his accompts of the Province according to appropriation of the late act & if not to know by what time they will be ready. The Comittee return'd & said they had delivered their Mess^a and had for answer they would be ready in the afternoone.

Elis Huske, Esq. bro't down Mr. Dearborn's petition.

Theo. Atkinson, Esq. bro't a Remonstrance about som of the Debts of the £1730 and of the Hansons & others taking on themselves the paym^t of Capt. Gerrishes money having some time allowed them.

The Question was put whether any supply shall be made for the Fort. It past in the affirmative, then the question was put for suply of the Frontiers. It past in the affirmative.

P. M.

The Question was put whether a Comittee should be sent to se w^t was absolutely necessary at the Fort. It past in the affirmative, and voted.

Upon reading his Excell^y message relating to the Fort Wm & Mary of the 15th curr^t & of the report of the comittee his Excell^y sent to view the said Fort & Stores made the 14th curr^t, Voted, that Capt. Edward Hall & Mr. Jotham Odiorn be a Comittee of this House to joyne such as the Honble the Council shall appoint to go down as soon as possible & view what is now absolutely necessary to be done at the said Fort & Stores and to bring a particular return as neare as they can compute what the charge may be & make their returne to the Genl Assembly as soon as they can.

Sent up pr Capt. Roby.

Mr. Dearborn & Respondents cal'd & heard on his Petition & voted that the Prayer of the Petition be granted and the Petitioner have liberty to bring in his Bill

The House adjourn'd to the 20th curr^t A. M.

Wednesday Feb 20th A D 1739-40, A. M. the House met.

The comittee of audit of this House waited on the Treasurer for his accompts. They return'd answer That the Treasurer said his accompts were ready [p. 562.] but that the Council were gone down to the river with his Excell^y.

Whereas there is now depending in the Superiour Court of this Province for the Tryal of sundry persons for uttering counterfeit bills of Credit of the Collony of Rhode Island, which tryall will be fruitless without some evidence of the signers or Plates from Rhode Island, Therefore, In the House of Representatives, Voted, That his Excell^y be desired to Direct the Sec^y to write the Honble John Wanton, Esq. Governour of Rhode Island to desire him that some of the Signers of the Bills of that collony (that are coun-

terfeited) may be desiered to come here at the time of Tryal at such time as our s^d Superiour Court may adjourn too for Tryall and that the Treasurer provide for the said Gen^t entertainm^t while here, and that the Treasurer be allowed for the sum advanced for said Entertainm^t in his accompts.

In the House of Representatives, Pursuant to his Excelly^s message of the 15th curr^t relating to the Fort Wm & Mary, voted That there be a Tax of one thousand pounds Raised on the Polls & Estates of the Inhabitants of this Province & paid into the Treasury by the last of December next for the Repaire of the Fort & Frontiers — not sent up.

Upon motion made for taking the Hansons Bonds for that part of the £1730 money that was due from the Estate of Richard Gerrish Esq. Deceas'd, Voted, That the Treasurer take the said Hansons & others Bond for the Principle and Interest at 2 1-2 pr ct. from the 25th of April 1729 (the interest being paid to that time to Mr. Ephraim Dennet) and also the cost of suite Expended in Courts on said Bond & that the said Treasurer take their Bonds payable for the same by the first day of May next Ensuing the date hereof. And that upon the Treasurers receiving the said Bonds the Estate & Ex^rs of the said Richard Gerrish be wholly discharged of said orriginal Bond & Judgm^t.

P. M. A vote past for Raising a Tax of £550 to be bro't in any Bills by the last [p. 563.] of December next being for purchasing Powder &c for the Fort & suply for the Frontiers, past.

The House adjourn'd to the 21st curr^t.

Thursday, Ffeb the 21st A D. 1739– A M. the House met. The vote for the Fort & Frontiers, Dearburn's Petition, Rhode Island vote, Hansons vote, Mathes petition and Mrs Maccresses letter sent up pr Messrs Packer & Wallensford.

Burnt of the £15000 Loan from George Jaffrey, Esq. £589 : 2 : 4 And of Tax money from the Treasurer, £19 : 11, for the year 1739.

The act in Addition to the former act about the millitia read three times and past to be enacted and Engross'd & sent up pr Messrs Smith & Gilman.

In the House of Representatives. Whereas this house has been waiting sundry days for the Comittee of Audit to adjust the Treasurer accompts & the Committee of audit of this House having bro't in this day from the Treasurer an Irregular accompt for the advice of the House on it which said accompt being contrary to the sundry appropriations made by the late act of this government for the supply of the Treasury, And this House not knowing any adjustment made with the Treasurer since the Ballan^c made ma^r 11th 1736, Wherefore Voted That his Excell^y be desired to Direct the Treasurer forthwith to lay before the Committee of

audit his accompt with this Goverm^t comencing from the Ball^a made in 1736 agreeable to the sundry appropriations made in the last act of this Governm^t in order the Comittees of audits passing upon the same that the maine business of this Province may be no longer delayed.

Whereas the charge this Government has been at for nine years past in defending themselves against the encroachments of the Massachusetts Goverm^t and settlem^t of the lines, charges of the Honble Comiss^rs appointed by his Majestie for heareing and judging about [P. 564.] the lines, the Repaire of the Fort Wm & Mary and defence of the Frontiers and all other charges of Government in case of a French war must all be paid into the Treasury by the yeare 1742 which is much more than the People are able to p'form, Therefore In the House of Representatives, voted, that there be a Comittee of this Genl Assembly appointed to address his most Excell^t Majestie That the time limitted in his Excell^ys Instructions may be altered to a longer time as in his Majesties wisdom he shall see meet, and to give liberty of a further Emission as the necessity of the Province may require. And that Capt Icabod Roby, Mr. Tho. Packer Ebenezer Stephens Esq. & Mr. Jotham Odiorn be a Comittee of this House to joyne such as the Honble the Council shall appoint to draw up said address.

James Jeffry Cler. Ass^m.

In the House of Representatives, voted, That in case the above vote shall not be concurr'd wth at the Board, That then the same Comittee of the House do in the recess of the Assembly (or in case of a Disolution) Address his most Exce^ll Majestie in the name of the House for a further Limitation as above and that the Comittee send it to the Agent for this House desiering him to solicit it.

Ffeb. the 26th (?) voted. James Jeffrey Cle^r Ass^m.

In the House of Representatives, Voted that there be an act made in Addition to an Act made in the fourth yeare of his Maj^ties King George the First Reigne about Powder money that it be made that every Ship Forreigner or other vessel lyable by law to pay Powder money shall from and after the Publication of the said Act pay three shillings in money or one pound of good Gunpowder pr Tun for the support of his Majesties Fort Wm & Mary Instead of two shillings mentioned in s^d Act & that the Treasurer or other p'son as shall at any time be appointed to receive the same shall take receipts from [P. 565.] the gunner of said Fort or other p'son or p'sons to whom he delivers Powder for the use of ye Government. Feb. 21st, 1739-40.

Post Meridiem.

The Powder vote reconsider^d and the Question put for 4s negative then 3s affirmative then the Powder vote & vote to address sent up

Eod^{m} Die. Theo. Atkinson & Jos. Sherburn Esqs. bro't down the Powder vote to be made equal to one pound of Powder. In the House &c. the above reconsidered & voted that the House adhere to their former vote & that the Act continue for three years & no longer.

Eod^{m} Die. In the House &c. upon a second reconsideration of the above vote, voted that the sum be four shillings pr Tun instead of the three Shillings in the vote.

Capt. Huske bro't down the Londonderry mens Petition with the House's vote non-concurr'd & a vote of Council thereon. The House concurr'd the Council vote.

Theo. Atkinson bro't a memorial from the Judges of the Sup^{r} Court, &c.

The House adjourn'd to the 22^{d} curr^{t}.

Fryday, Feb. 22^{d} A. D. 1739–40. A. M. the House met. Londonderry mens Petition sent up. A Petition of Wm King & others and Joseph Downing Praying the Docking & Entaile on p^{t} of the Land s^{d} Downing possess^{d} was read & voted the Prayer of the Petition be granted & y^{t} ye Petitioners have liberty to bring in their bill accordingly. Sent up.

The memorial of the Judges &c. read and the vote of Council thereon, viz. In Council Feb. 21, 1739, Voted, that Jotham Odiorn, Ep. Dennet & John Rindge, Esqs. be a Comittee to joyn with such as shall be chosen by the House of Representatives to take into consideration the within memorial and to report that is proper for the Courts to do thereon.

Richd Waldron, Sec^{y}.

Eod^{m} Die In the House of Representatives the within memorial read & the vote of Council thereon, & voted that Mr. Thomas Packer & Mr. Hunking Wentworth & James Clarkson, [p. 566.] Esqr. be a Comittee of this House to joyne wth the above Comittee of Council for the ends proposed.

James Jeffrey, Cl. Ass^{m}.

Theo. Atkinson Esq. bro't down the vote of the House of ye 20th Curr't for supply of Powder & y^{t} for ye Fort & Frontiers with a vote of Council thereon for amendment.

P. M.

The vote of the House of the 20th curr^{t}. & the vote of Council thereon as followeth, viz.

In the House of Representatives.

Pursuant to his Excell^{ys} Mess^{a} of the 15th curr^{t} relating to Fort Wm & Mary,

Voted, That there be a Tax of eight hundred and fifty pounds

raised on the Poles & Estates of the Inhabitants of this Prov^e and paid into the Treasury by the last day of December next in any curr^t Bills of Credit [A. Seven hundred pounds of it to be applyed for the purchasing fifteen bb of Powder for the Fort Wm & Mary, to be expended in real and absolute defence, and for no other use, intent and purpose whatsoever. The remainder of the £700 to be for ye repaire of the carriages and wheels of the South Platform of said Fort and that Platform and the Houses, & to be used where the most necessity is at present as far as it will go, And one hundred and fifty pounds of the said £850 be applyed for the purchasing of necessary stores for defending the Frontiers in case of the French war] and that the Treasurer take receipts from the comanding officer in the Fort for what Powder he delivers and that the Treasurer issue out his Warrants for the bringing in the said £850 according to the last proportion, and that an Act be drawn up accordingly, and that Mr. Thomas Packer & Samuel Smith be a Comittee of this House to joyne with such as the Honble Council shall appoint to draw up said act accordingly.

In Council Ffeb 22, 173 9–40.

Read and concurred with the vote on the other side with the following amendm^t, that the sum mentioned therein be paid into the Treasury in Publick Bills of this Province instead of any Publick Bills of Credit, and that £700 of the sum be for a stock for Fort Wm & Mary And that the remaining £150 of it be for covering and securing [p. 567.] the Land Frontiers instead of the words marked A.

Richd Waldron, Sec^y.

In the House read and non concurr'd

James Jeffry, Clr Ass^m.

P. M.

The Treasurers Accompts argued upon. The House adjourn'd to the 23^d curr^t.

Saturday Ffeb. 23, A D. 1739–40 A M. The House met. The Secretary bro't a written Mess^a from his Excel^y and read it and gave it to the Speaker, viz.

Gentlemen of the House of Representatives:

This Session is spun out into a considerable Length & I am ready to give my assent to what acts have been past in it. If you have any thing material still to do I should be glad you would give it dispatch, that the Court may the sooner rise.

J. Belcher.

Feb. 23, 1739–40.

Eod^m Die. the Answer of the House of Representatives to his Excelly^s Message of this day

May it Please your Excelly.

There being considerable Omissions of some sums in the Treasurers Acc^{ts} presented to this House yesterday that ought to have been carryed forward in the said accompt wch is the only thing that hinders the maine business of the Province at present.

J. Jeffry Cler. Ass^{m}

The Trespass Act read 3 times and past to be enacted & stand 5 years. Sent up.

In the House of Representatives.

Pursuant to his Excelly^{s} Mess^{a} of the 15th curr^{t} relating to the Fort Wm & Mary, Voted, That there be a Tax of £850 raised on the Poles and Estates of the Inhabitants of this Province & paid into the Treasury by the last day of X^{r} next in curr^{t} Bills of Credit of this Province, £700 of it to be applyed for the purchasing 15 bb of Powder [p. 568.] for the Fort Wm & Mary, the remainder of the £700 to be for repaire of the South Platform in said Fort & the wheels & Carriages in s^{d} Platform & the Houses and to be used where the most necessity is at present as far as it will go, and £150 of the said £850 to be applyed for the purchasing of necessary stores for defending the Frontiers in case of a French War & that the Treasurer take receipts from the comanding officer in the Fort for w^{t} Powder he delivers, and that the Treasurer issue out his Warrants for the bringing in said £850 according to the last Proportion and that a Act be drawn up accordingly, and that Messrs Thomas Packer and Samuel Smith be a Comittee of this House to joyn with such as the Honble the Council shall appoint to draw up said Act accordingly, and that Jotham Odiorn, jun. be of this House to joyne such as the Honble Council shall appoint to se the repairs of the Fort done agreeable to the above vote. Sent up.

Mr. Secretary bro't the Londonderry mens Bill which was read and another Mess^{a} from his Excell^{y}, viz. that since the affairs of the Goverm^{t} are not finished his Excell^{y} desires the House would set this afternoone and that his Excell^{y} will adjourn the Council to Monday 10 o'clock instead of 3 as usual & desires the House would adjourn to the same time.

Geo. Jaffrey & Theo. Atkinson Esqs. bro't down the last Vote for the Fort & Frontiers, &c. & s^{d} that the Fort wanted present money, and in that Vote it would [not] come in till X^{r} next, and y^{t} the words—for real and absolute service and defence,—are words the goverm^{t} cannot con*set* too,—their Mess^{a} being at large they used some argum^{ts} and then withdrew.

It was put to vote whether the Treasurer shall be allowed to bring in in his accompts any outstanding debts in the Constables hands or charge himself with the whole Tax as the Law directs to be gathered. The vote past that he shall charge himself with the whole and not bring in any outstanding debts in the Constables hands.

Mr. Secretary bro't down King and Downings Bill which was

red—the question was put whether £850 be struck for the [p. 569.] Fort and Frontiers—negatived. The question was put whether the words (absolute service and defence) be struck out—affirm^{a}.

P. M.

Whereas there are sundry Extents on the Mortgaged Lands ought to be extended for non-payment of their parts of the £15,000 Loan, and som extended, & no sale made of the Lands so extended, which still Keeps the money on that fund outstanding contrary to the Intents of the Acts and Votes of the Genl Assm. heretofore made.

Therefore, Voted, that his Excell^{y} be desiered to direct the Comittee appointed in that affair forthwith to make an end thereof according to the late act made & provided without delay. The Londonderry mens Bill & King & Downings Bill read 3 times & past to be enacted. The House adjourn'd to Monday the 25th curr^{t} 10 o'clock.

Monday Ffeb. 25th A. D. 1739–40 A. M. The House met. The two Bills past Saturday & vote ab^{t} the £1500 sent up. Bro't in and Burnt £71: 1. outstanding Money for the year 1736—more £39: 8 of the tax for the yeare 1739.

Mr. Secretary bro't into the House, King & Downings Bill, Londonderry mens Bill, the Tresspass Act, and the Millitary Act for the Speaker to signe, which was done & then the Sec^{y} withdrew.

P. M.

The question was put whether £850 be struck for the Fort and Frontiers, or to stand as in the vote. It past for Money to be struck off. A vote ordered to be writ for £900.

In the House of Representatives

Pursuant to his Excelly^{s} Mess^{a} of the 15th curr^{t} relating to Fort Wm & Mary, voted that there be forthwith struck off on the Large Plate last made the sum of £900, and signed off by the Signers that signed the Last. . . . . .

NOTE BY THE EDITOR.

Here the *Journal of the House* ends. The Session however continued one day longer, and then the General Assembly was dissolved. A new Assembly was called and convened at Portsmouth, July 21st, 1740, which continued till August 7th of the same year, and was dissolved. Still another General Assembly was convened February 12th 1740–1, which appears to have continued till March 18th, 1740–1. Of this latter General Assembly, we have only scanty Records. No *Journal of the House* during the aforesaid period is found, but the *Journal of the Council and General Assembly* which follows, compared with certain miscellaneous papers, annexed, in which the House distinctively took a part, will serve to throw light on this part of our Provincial history.

MISCELLANEOUS PAPERS.

NOTE BY THE EDITOR.

The following Memorandum and Province Accounts are copied from the "Appendix to Journal of the House, 1724–1743," pp. 581–593.

Memorandum of the Brass Weights Bought by the Province of New Hampshire for Standards to lay weights by,

One fifty six pound
One Twenty Eight pound
One 180 ounces
One 120 Do.
One 60 Do.

PROVINCE ACCOUNTS.

Province of New Hampshire, Dr.

To be paid into the Treasury according to acc^{t}.

In the year	1724	£1076: 16
	1725	1076: 16
	1726	1076: 16
	1727	1076: 16
	1728	1076: 16
May the 8th, 1722 to be burnt.	1729	1400
	1730	1400
8^{br}, ye 27th, 1722 to be burnt	1731	1000
	1732	1000
		£10184: 00

1724, X^{br}, ye 10th An Act made Emitting 2000: 1 M. to be burnt, in

1733	1000
1734	1000

1725, X^{br} 31, 2000£. one M in ye yeare	1735	. 1000	
	1736	. 1000	
1726, X^{br} 2^{d}, £442 : 9 : 9 to be burnt.	1737	. 442 : 9 : 9	
" X^{br} 17, 557 : 10 : 3 idem	1737	. 557 : 10 : 3	
1726, X^{br} 17, 1000£ to be burnt in	1738	. 1000	
		16,184	
1727, May 20th 1000£ to be Burnt in	1739	. 1000	
1000 Do in	1740	. 1000	
1729, May 14th 1076£ to be burnt in	1741	. 1076	5076
1736 4000 to be burnt	1741	. 4000	
1729 X^{br} ye 19th 700£ to be burnt in	1742	. 2000	
1730, 7er ye 12, 1300£ to be burnt in	1742		
1736, 2500 to be burnt in	1742	. 2500	
1740, 2700 for the West India Expe^{d}		. 2700	

1740, 500 for the Lines
May 7th, 41, 400 for powder.

1722, To 5384£ Bills Imprest for the Exchange of those Imprest before the yeare 1716, which was Comitted into the hands of Mark Hunking, Geo. Jaffrey & Richard Wibird Peter Weare & John Gillman, Esqrs, & John Plaisted, Trustees according to the votes of 8^{br} 27th 1722 . . . . . £5384

To ye Sume of £1500 money Sent in 8^{br} 1714 at 2 1-2 per Ct pr Annum.

To the same sum £1500 Money Sent in 8^{br} 27th 1716 at 6 per Ct. pr. Annum £1500

To 230£ at the same time & Interest £230

May 1732. The Excise Act comenced & Lett to Capt. Stephen Greenleafe for 3 yeas at £— pr Annum

Of the 15,000 Pound Loane money there has been Burnt

May the 26th, 1720	£918 : 8 : 9
May the 18, 1721	780 : 0 : 9
	& 30 : 10 : 0
8^{br} the 7th	143 : 04 : 4
Feb. 19, 1722–23	321
May 30, 1724	626 : 8 : 6
May 29, 1725	300 : 12 : 4
December 27th, 1726	202 : 3 : 3
May 4th 1727	88 : 14 : 7
X^{br} 12th, 1729 Bro't in by Geo. Jaffrey . . .	2152 : 3
May 17, 1732, Bro't in & Burnt from Do. . .	356 : 11 : 9
Jany 8, 1733–4 Br^{o} in from Do. & Burnt . .	1032 : 11

Province of New Hampshire.

Pr Contra Cr.

1725, May ye 27, There was Bro't in and Burnt for the yeare 1724 . . . . . £1076 : 16

Apr 15th 1726, Bro't in pr Treasurer Penhallow of Tax for ye yr 1725			£738: 17: 3
By ye Exer of Mr. Penhallow & Mr. Geo. Jaffrey of the tax for the yeare 1725			: :
May ye 4th 1727, Bro't in & Burn by Treasr. Jeffry, Esq. of the Tax for the yeare 1726, the sum of .			984: 17: 10
1723, Xbr 12, Br the several sums Exchanged & bro't into the Assembly & burnt, viz.			
By Majr John Gilman	£82: 3: 3		
Geo. Jaffrey	121: 10: 6		
Richard Wibird	117: 16		
Mark Hunking	35: 18	=	357: 8: 3
13 By John Plaisted			£432: 7
1724, May 30, By George Jaffrey Esq. . . .			142: 11: 6
Coll. Peter Weare			21: 3
John Plaisted, Esq.			11: 3: 6
By Richard Wibird			76: 5
Mark Hunking, Esq.			31: 5: 6
Xbr 11th By Richard Wibird			103: 13: 9
Geo. Jaffrey			36: 16: 3
Peter Weare			26: 18: 6
John Gilman			36: 16: 6
1725, May 29 By John Plaisted			37: 13
Peter Weare			40: 14: 6
Richard Wibird, Esq			68: 13: 3
Geo. Jaffrey			84: 11: 3
Mark Hunking			9: 9
Xbr 31, 1725, By Richard Wibird, Esq.	£80: 12: 3		
Geo. Jaffrey, Esq. . .	57: 14: 9		
John Gillman, Esq. . .	6: 3		
John Plaisted, Esq. . .	53: 5	=	£197: 15
Jan. 5, 1725-6, By Majr John Gillman . .			53: 8: 9
7, By Coll. Mark Hunking .			19: 14: 6
			£1788: 08
Apr 15, 1726 By Coll. Hunking, .	£12: 19: 6		
Coll. Weare . . .	82: 1		
R. Wibird, . . .	39: 5: 3		
Coll. Plaisted, . .	12: 10: 6	=	146: 16: 3
9br. 25, 1726, By Richard Wibird	77: 3: 6		
Coll. Plaisted . . .	51: 15: 1 1-2		
Coll. Weare . . .	55: 4: 9		
Geo. Jaffrey . . .	62: 6: 6		
Coll. Hunking . .	20: 3: 6		
		=	£266: 13: 4 1-2

May 4th, 1729 By Coll. Weare	£56: 17		
Coll. Hunking	15: 6		
Geo. Jaffrey	97: 1		
R. Wibird	29: 5		
Coll. Plaisted	12: 19: 6 =	£211: 8: 6	
Maj John Gillman,		46: 12: 3	
Xbr 11, 1724 By Coll. M. Hunking } these two omit-		29: 15: 6	
By Coll. Plaisted } ted in due place		51: 18	
May 17, 1728 By Coll Hunking	£31: 17: 1		
Col. Weare	94: 16: 6		
Majr Gillman	40: 11: 6		
Coll. Plaisted	23: 8		
May 15, 1728 Geo. Jaffrey	155: 3: 6		
Richard Wibird	75: 18 =	421: 14: 6	
Of the £5384 Printed to be exchanged		£2953: 6:	4 1-2
1729, May 10th allowed Geo. Jaffrey Esq. Comittee Expenses, 15s 1, Printing £52, Comn 5 pr ct £44: 11		97: 6: 1	
Do. Richard Wibird, 5 pr ct for exchanging		41: 18: 6	
1729, May 14, From Exrs Coll Hunking,		16: 13	
Geo. Jaffrey	36: 7: 8		
Richd Wibird	169: 10: 9		
Majr Gillman	45: 16: 6		
John Plaisted	28: 15: 3		
Coll. Weare	32: 14 =	£329: 17: 2	
By Coll. John Plaisted, May 4th 1731		31: 3	
May the 10th 1731 by Coll. Henry Sherburn		137: 3: 6	
by Theo. Atkinson		175: 15: 7	1-2
May 11th 1732 by Coll. Henry Sherburn		165: 9: 9	
March 3d 1732-3, by Coll. Henry Sherburn		142: 16: 1	
Jan. 9th 1733-4 by Coll. H. Sherburn		102: 3	
Jan. 9, 1733-4 by Theo. Atkinson		16: 14: 6	
8br 19, 1734 by Coll. Sherburn		103: 4: 9	
by Theo. Atkinson		16: 19: 3	
May 13, 1735 by Coll. Sherburn		119: 3: 6	
by Theo. Atkinson		19: 4: 6	

A memorial of the Disposal of the sume of fifteen thousand pounds Bills of Credit on the Province of New Hampshire (which were made and Emitted) By virtue of an Act of the Genl Assembly of the said Province, viz.

To payment of the Committees of the several Towns viz.

Portsmouth	£2753: 6: 6
Hampton	3996: 6: 10
Exeter	1831: 15: 7
Stretham	709: 11: 10

Dover		1469 : 3
Newington		558 :
New Castle		1181 : 16 : 3
Kingston		500
		£14000
To the Committees of the Several Towns allowed them for Emitting said Bills. . . .	302 : 10	
To Expenses on s^d Committee sundry times	19 : 10	
To sundry charges for Printing, Engraving, Paper, Mortgages, Books, for Recording . .	163 : 5	
To the Committee for syning and Emitting the said Bills at 2 1–2 pr ct	200 =	£685 5
		£14685 : 5

By vote of the Assembly y^e 10th 8^br 1717, his Excellency was presented with 160£ out of the Interest of the money Lent in 1714.

Petition of Rev. Hugh Adams.

[Copied from Belk. Hist. N. H., Vol. III, pp. 350–358, Boston, 1792.]

To his Excellency JONATHAN BELCHER, Esq. Captain General and Commander in Chief in and over his Majesty's Province of New Hampshire in New England, To the Honorable the Council and Representatives in General Court assembled, The Complaint and Petition of HUGH ADAMS, Clerk, the Gospel Minister and Pastor of the Church at Durham within said Province: *Humbly sheweth.*

FORASMUCH as your Complainant petitioner hath been more than one and twenty years last past a labourer in the word and doctrine of Christ sincerely to the utmost of his ability amongst that people, although the good laws of this said province so far have required of them, and their own contract or agreement with him voted by them in the first week of the month of April, Anno 1717, as by a copy of the record of Oyster river parish or said town, as also by the evidences of some of their select men and committee may appear in order for his support, with a competent salary of one hundred and four pounds during his ministry there, even then when silver money was not of more value than ten shillings per ounce, annually to be paid as then understood in the real value thereof, and not only in the bare name of so much, and unanimously agreed by their then Committee to be paid punctually each year one half of said salary, i. e. £52 at the end of or within each six months, i. e. the first week in October and April, with other material articles of said agreement for his maintenance among them, which also hath obliged them thereunto, yet have they not in any one year of said time of three appren-

ticeships since their said contract, been honest nor faithful by the payment thereof in the just value, nor in due season, so as that the hire of his ministerial labours so much and long kept back by their sacriligious fraud, hath been crying in the ears of Christ the Lord of Sabbaoth, so to expose them and their covenant and silent neighbors in this said province, unto the curse denounced which hath been so long and often executed in such a variety of destroying, terrifying and impoverishing judgments of God, too many herein to be enumerated, and so much thereof evidently occasioned by said parish and town, being therein so long tolerated with impunity, as an Achan in the Camp; and as the seven sons of Saul in the days of King David; and as Jonah in the ship of the commonwealth of this province aforesaid. And especially whereas the principal article in the said contract insisted on by their said minister, wherein their then select men and committee agreed, by manual vote and voice (nemine contradicente) but was not entered by their then parish clerk, John Smith, who deceased anno 1722, with or after the other articles hereof in the record rolls of their then parish of Oyster river, or since town of Durham, and since yearly on very fervent intreaties to have the same articles entered upon their records and observed for the yearly performance thereof for the future, whereunto nevertheless they have been inexorable beyond all reason and justice, hitherto in disregarding said above hinted article, viz. That each year one half of said salary of £104, which is £52 should be paid into him or his order at or before the end of each six months or half year, i. e. the first week in October and April, which committee vote or vow of theirs has never yet, in any one year of the twenty-one years of my ministry amongst them been performed: But mostly deferred until at least three months after said former half year's harvest was ended, when the price of provisions was raised at least twenty-five per cent dearer than at harvest or in gathering thereof; which delinquency of theirs in said twenty-one years hath been to the damage of said minister above £520 in said parish and town, especially where he has been necessitated, rather than starve, to borrow considerable sums of money upon six, ten, fifteen and twenty per cent interest yearly, and running on interest upon interest, yet unto this day, to his impoverishing oppression, and sinking discouragement, and reduced his salary of £104 of late years to the name thereof, when in present value as the altered prices of all necessaries for livelihood are about two hundred per cent dearer than when their said contract was made. This salary now is scarce more in real worth than £36 each year, although their rateable heads, families, cattle and lands have increased treble their ability more than at first agreement, Also this year 1738, the majority of said Durham inhabitants have stopped their ears at the cry of the poor at their two publick town meetings, although it is threatened they shall cry themselves but shall not be heard.

Therefore now the oppressing necessities of the complainant petitioner constrain him to pray he may be regarded by this great and General Court assembled, in these his following requests; as Christ Jesus Immanuel, to encourage each of his faithful ministers, testifyeth saying, 'He that heareth you, heareth me.'

1. Request that the records of said parish, named Oyster river, and now chartered town of Durham, may be so far impeached as that the said article may be entered by the present town clerk, Lieut. Samuel Smith; and accordingly that he may be summoned to bring Durham's town-book of rolls and likewise Capt. Francis Mathews the former town clerk, to bring the record rolls of said Oyster river parish if yet in his possession; and likewise Lieut. Abraham Berwick and Mr. Sampson Doe, then of the select men and committee for said Parish in that year 1717, to give in or renew their oath or affidavit, each of them for confirming the truth of said article.

2. Request that the petitioners said salary of £104 may be enacted for the future during the remainder of his ministry in said town, to be made good in full value as really as in name, and to be paid in due season according to the request and article aforesaid, with sufficient penalty for any delinquency thereof, which, as written in the divine law moral, is the fifth part of the principal, to be added unto it as evident from Lev. v: 15, 16. Num. v: 6, 7, 8.

3. Request that delinquency from the payment of any lawful settled ministers salary within said province, may be enacted a criminal case, or matter presentable by any grand juror, upon complaint made to him at each or any court of sessions quarterly, as in the Massachusetts province government, which I perceive by Psalms XLI: 1, 2, 3, is the principal reason why they have been hitherto proportionably spared from the *throat pestilence* and other impoverishing, more than New Hampshire.

4. Request that Daniel Davis of said Durham, may be summoned and judged by this most Honorable Court of New-Hampshire province aforesaid, for his sundry years, trespassing upon and inclosing within his fence and detaining so forcibly from said minister several years previous possession thereof, sundry acres of upland, and salt marsh and thatch bed, belonging to the glebe land or parsonage, possessed by, improved for, as also granted to, the minister of said parish or town at least sixty years, and for evidence thereof, that Capt. Francis Mathews and his next neighbour Jonathan Willey the eldest, and Joseph Stephens, his son, and William Willey, may each of them be summoned. Moreover the said robbed and defrauded minister prays that it may likewise be ordered, that the selectmen of said each year rescue said parsonage land from him the said Daniel Davis and every other unjust incroachment thereon, and on every parcel of glebe land or parsonage (as viz.) the long marsh and that parcel of ministerial land lying on the highway leading S. and W. toward Lampereell river, and bounded E. and S. on Potter Mason's land, and S. and W. on Richard Denbow's land, each of which is incroached upon by or other of the adjacent neighbours, and although their minister, as their spiritual father, so long seeking their welfare in gathering of a church first amongst them, on March 26, 1718, his prevailing as the dresser of their church vineyard, with Immanuel Christ Jesus the Lord thereof, for his grant of four years probation, whether the barren fig-trees might, by a ministerial husbandry expended on them be prevailed with to bear fruit proportionably that it might be well with them as in the gospel parable thereof, Luke XIII: 7, 8, 9, and when the Indian war began, anno 1722, and that five persons were cut down thereby in our parish; who hath likewise prevailed with the heavenly Prince of Peace to make and keep his covenant of peace with and for us, as written in Ezekiel XXXIV: 25, yearly pleaded and granted these thirteen years hitherto, notwithstanding the so repeatedly many rumours of wars free from the reality thereof. Likewise in the year 1729, when Captain Samuel Emerson and Lieut. Jonathan Thompson and Hubbard Stevens had harassed their minister with an anti-christian council ecclesiastical countenanced by the then Commander in chief, after which the said Emerson and Korite company, by their negative clandestine votes robbed him of the £50 addition to his salary they granted him the preceding year 1728. In his so provoked subjection to passion, as Elias in James V: 17, 18, he the said minister, while it was yet more than three months to the harvest, prayed it might not rain, and it rained not until three months after; when in regard to the importunity of some friendly brethren, he appointed and conscientiously sanctified a church fast, from evening to evening, abstained three days from *eating*, *drinking* and *smoking* any thing, in beginning of September that year 1729; and the Lord Christ was pleased to hear in heaven and grant such repeated plentiful and warm rains, as recovered the languishing corn, grass and fruits of the trees unto a considerable harvest thereof; so as was then remarkable. And in the year 1733, when the said parish by the General Court was chartered into the township of Durham, in answer unto their said minister's petition, for its privileges and said name as therein pleaded for, and the inhabitants of said town proceeded by their chosen committee, at their most general meeting, to divide their commons, voting the minister aforesaid, should, as he did draw lots for them all, yet he cannot prevail with the lot layers to survey his lot of twenty-five acres, nor inform him where he may have it laid out for him, neither have said inhabitants fulfilled their condition of honourably supporting their minister. And since no inferiour Court in this province hitherto could do justice to your petitioner, he is therefore now necessitated to flee for refuge to this Supreme Legislative court of nursing fathers; in each of which requests, your so long

oppressed petitioner importunately asketh for justice, firmly believing, *after that*, God will be intreated for the land in New Hampshire.

So complaineth and prayeth the above named petitioner.

HUGH ADAMS.

The Petition of Hugh Adams, Minister at Durham.

[From Farmer & Moore's Hist. Coll., Vol. II, pp. 239, 244, 281, 284.]

Mat. II: 7. Luk. X: 16.

DURHAM, MAY 3, 1738.

Honourable Sir

This is to request the favour of his Excellency and your Honour, That my nomination of two persons for commissioners of the peace, may be granted; Namely: for Mr. Joseph Drew in the town of Durham, and for Captain Edward Hall in the parish of New Market of Exeter; Each of which persons, in many years observation, I judge in my conscience for said office, of each people, is the best qualified, according to those sacred characters in Exod. XVIII: 21. Acts VI: 3. Being each of them able in estate and understanding in the law, in writing a good hand, Fearing GOD above the most of his neighbors, A man of truth, hating covetousness, of an honest report, competently full of the HOLY GHOST and wisdom; having the best rule of government over his own spirit, appetites, and passions, humble, meek, modest courteous; and resolute in his duty, and willing therein to be admonished; And likewise exemplary in Church communion and attendance in the other ordinances of the Gospel of CHRIST, the Prince of the Kings of the earth, as in Rev. I: 5. The said town and parish, being (too long time) the majority of the inhabitance of each, sadly grown exceedingly vicious, disorderly, and unruly, especially on every publick day and night following, For want of such an overseer in said authority, to see the good Laws of this Province for regulation of such disorders duly prosecuted: Which might be (with a DIVINE BLESSING on the consciencious endeavours of such a ruler among them) much for the reformation of each (otherwise lawless) people. Col. D.—— in our Town being now doting, superannuated, selfish, covetous, and partial, utterly unqualified for such an office any longer; being grown so old and foolish, that he will be no more admonished: As contemptibly characterized in Eccle. IV: 13. Which, (that the NAME of our LORD JESUS CHRIST may be glorified in them, as in II. Thess. I. 12: And the people's welfare may be promoted) is the earnest petition of a sincere minister of CHRIST.

HUGH ADAMS.

A DECLARATIVE AGREEMENT

Made and confermed by Hugh Adams, Cler. Minister of CHRIST, and Pastor of HIS Church at Durham, in the Province of New Hampshire in New England.

To's Excellency the Governour, and their Honours of His Majesties Council, which may legally constitute and Judge in the Court of Appeals for Equity, at Portsmouth, in July next, by adjournment, from the second Tuesday in May, 1738, For determining the case of said minister Appellant, already passed through the other two Courts of the Law.

Is as followeth, viz.

Forasmuch, as the most Holy and Righteous Patriarch Joseph (under the infallible Inspiration of THE HOLY GHOST) made it a Law unto this day,

that Pharaoh should have the Fifth part, as it's written in Gen. XLVII. 26. i. e. as I am fully perswaded in my own mind and conscience that when any King's Representatives in his Court of Equity, do and shall judge any case therein according to good conscience: The Fifth part of the sum justly granted in their decisive Judgment: should thus be distinctively remunerated. As in this case appealed for, of 1858 £ The fifth part whereof is 371£. 12s. Whereof the 71£. 12*s*. for defraying all the charges of the three Courts, Attorneys and other officers' fees: The remainder 300 £ thus to be distributed. 200*l* to the Governour or Commander-in-chief, and the 100*l*, 40*l* thereof to the Honourable Secretary, and 20*l* to each of the three Councillors (that are the majority of the five) which may equitably judge in said case. Col. Walton by affinity being related to the case doubly on the appellee side, being justly exceptionable to me. And George Jaffrey and Joshua Peirce, Esquires, disaffected from any favour towards me, (as I perceive); since my subscribing as one of the Ministers of this Province aforesaid, for Governour Belcher's continuance in the Government thereof, the Chief. The three other remaining of the Council impartially to be judges in my case at said Court, being (if I'm rightly inform'd) —— Odiorn, Esquire, Lt. Col. Joseph Sherburn, Esquire, and Captn. Ellice Huske, Esquire, to be each of their Honour's ensured with the said 20*l*. for Gratification when concurring in their judgment of the sum total of said case, and all the just cost for said appellant. And not as a bribe, is intended any part of said Fifth: But as a just tribute For Equitable judgment as required by the Supreme JUDGE, As written in Rom. XIII. 4, 6. And upon condition of such a grant in the judgment of said Court of conscience: That the said appellant may have the reasonable liberty of directing the Sherriff in levying the execution of the Equitable judgment, Upon the most blameable and able persons (or their estates) which have wilfully and unjustly occasioned such prosecution of said case; and that the innocent therein may suffer no wrong.

To the which agreement abovesaid, I, the said Hugh Adams, Appellant, For my self, My Heires, Executors, Administrators, And certain Attorneys, Do hereby promise, grant and agree, unto each of the said Court of Equity, as above expressly specified, His Heirs and Assigns each said sum respectively; as soon as possible (after the so just recovery thereof, As so sacredly warranted in said Rom. XIII. 4.) To be then faithfully paid unto him or his order without fraud or delay, in each full sum as appropriatively signified. As witness my own Hand and Seal, on Tuesday, May the third, in the eleventh year of the Reign of His Majesty King George the second, Annoque DOMINI, 1738.

Signed, sealed & delivered in the presence of
Stephen Glasier and Eliphalet Daniel.

HUGH ADAMS

P. S. This Instrument is referr'd to your Honour's wisdom, for the communication of the contents thereof, only to the Commander in Chief, and to each of the said three Councillors, so far as may concern either of them. But to be conceal'd prudently from every other living person. Which gratuity, if either of them decline from accepting thereof in my favour; And nevertheless concurr in the full judgment of my honest case: Then the said sum respectively is hereby transferr'd to your Honours propriety, for recompencing your late favour to me, and in such a measure towards recompencing your loss by fire. As assigned by the said Appellant.

HUGH ADAMS.

Letters of Rev. Hugh Adams to Mr. Secretary, Richard Waldron, Esq.

Durham, Janry 1, 1739–40.

Honourable sir,

With Thankfull remembrance of the many favours, you've formerly vouchsafed to me, in your so generous helps performed (as I hope) for CHRIST himself, accepted likewise Of, and to be rewarded temporally and Eternally By HIM, as done to His Heavenly Royal Person, FATHER and 's HOLY SPIRIT tho' mediately Done unto the least of's Ministerial or sincerely Friendly-Brethren. As for the continuence of our Collegiate Brother and Friend in his Government, yet over us, the excellent Jonathan Belcher, Esqre, in the six months past more especially according to's faithful WORD experienced as written in Joh. xv. 7. I've been prayfully Importunating our LORD EMMANUEL JESUS the Prince of the Kings of the Earth, by WHOM they rule, and Prince and Nobles, and all the Judges of the earth; that (as in the year 1715, he was pleased to regard my complaint against Vice-gubernator Guilielmus Tailer in's proditorial Bribery against me; so (if agreeable to's WILL) he might contrarily order) and He might please to incline the heart of our Present SOVEREIGN and his Nobles, each of them therein Concernable, to confirm our incorrupted governour Jonathan Belcher, his viceroy in the civil authority over us; for his commissioning mostly able men, such as fear GOD, men of Truth, hating covetousness; or those Recommended to him as such, for their several respective offices of profit and honour; and likewise that he our Governour may be restored to his health, and visit our Province again, to Rule in the midst of his and our enemies: that they may be found liars unto us concerning him of whom and his welfare of affairs I should be glad to read or hear credible intelligence, if I might be further favour'd. This (with my prayerful Wel wishes for your Person and family) must suffice at present from

Your Honour's Most
Obliged servant
HUGH ADAMS.

To the Hon. Mr. Secretary, Richard Waldron, Esq.

Durham, April 11, 1739.

Honourable sir,—

With my hearty Thankfulness previously retributed for all your friendly Respects and Helps vouchsafed unto me, in the passage of my case through the three Courts of the Law, so free from Nonsuiting Abatements and from Demurrs upon Appeals, wherein I've Suppos'd were considerable of your amicable Influences; from the Hint you favour'd me with in your Letter dated Nov^er^ 27th last, wherein are express'd in writing under your own hand these very Words, viz.

"Agreeable to your Request, I have copyed the Judgment which you ob-
"tained against your Parish, &c.; I wish you a double portion of wisdom
"and prudence in the use of it, and that your differences may at last termi-
"nate in a comfortable and happy issue."

Which so kind Phrases bear the aspect of real Friendship. But in the Evening of last January 24th Publickly in Durham Meeting House before an Ecclesiastical Council of 8 Ministers and 20 Messengers, and a large Assembly of people, I was treacherously surprised with an unexpected Allegation (in their audience) made and so proclaimed by Ephraim Davis, "That you
"told him I had given you a Bond of several Hundreds of Pounds to Bribe
"the Governour and Council, that I might get my case, and that you in-
"tended to come your self unto the said Ecclesiastical council (if I should
"denie it) to prove it to my head; that thereby you'd enough to silence me;
"and if I would send you a line of order for it; you would send up my said

"Bond and other Papers, by his hand, and that he heard of it first from one "of the Council which said you had so informed him and referr'd him said "Ephraim Davis to you, for confirmation thereof."

Now, in Answer to your Honour (if this narrative was true) I must averr, That said Bond was not intended for a Bribe which I abhorr in any Profferer or Receiver; seeing it is Written in Job xv. 34 —Fire shall consume the tabernacles of bribery; which I have remarked in sundry instances fulfilled. But I deliver'd said Bond conscienciously in obedience unto that Sacred Law in Gen. XLVII. 27, and Rom. XIII. 4, 6, 7, for a Grateful Tribute intended for the Rulers, which should in Justice and Equity, overrule the letter, rigour and perverting tricks of humane laws, to Defend the poor, afflicted, and needy, to Deliver and rid them out of the hand of the wicked, as such representing Polytical Gods are required in Psalm 32=3, 4, 6, 7. Besides if mistaken and misimprov'd as a bribe, I've supposed it my Duty, by my said Bond of security upon my Heirs, Executors, and Administrators, for an Antidote against any real Bribes intended or proffer'd by implacable Enemies (if I should decease before the final Issue of my case) as that Tryal in Jer. 35: 1, 2–5, 6.; Besides (if you can remember it) I desired your Honour might conceal said Bond, until after the final Judgment of my depending Case might be passed. Wherein I suppose you was a faithful Friend. But since your more or less divulging it, has misapprehensively proved it self eventually (next to my Neighbour John Smith Taverner who deceased last Sabbath night) his more influential bottle, house, and 40*l.* of ready money which he told me some weeks ago before his sickness, he'd lent mine Enemy, viz. The agents Hubbard, Stevens and Woodman, Jonathan Tomson and John Williams, Junr. Selectmen) E'n your communicating narratively said Bond to (Saul Doeg) Ephr. Davis, was Judged my Most scandalous Crime for unsettling me: whereby you've so hurtfully trespassed against and despised me, and my heavenly MASTER CHRIST, and the MOST HIGH GOD, as evident from Luke x. 16. XVII. 3, 4, II. Cor. v. 20; therefore as though God Beseecheth you by me, I pray you in CHRIST'S stead, be reconciled to THE GOD of the spirits or souls of all flesh: by your turning again and saying you Repent (i. e. Of your inadvertent exposing me so unto the wrath of mine Enemies), that I may have licence and authority from my said MASTER'S commandment to say, I forgive you, and in gratitude for all your former and latter Friendship to us, to pray acceptably for the temporal and eternal Welfare of your Honble Person and Family.

And altho' the said Ecclesiastick Council censured me (in their late arbitrary and partial Result of Advice), chiefly as said for the supposed crimes of Imprecations: Nevertheless, forasmuch as my said supreme MASTER hath (in's Sovereignty) been so pleased in twenty-four Years past in's own proper and special Seasons, to enable me to more than ordinary Holiness attained, to conform then with this friendly proposal, in John xv. 7, and to be one (tho' the Junior) of His two American Witnesses (the so aged and Reverend Mr. Nathaniel Clap, Pastor of the true Church in Newport the other,) to each of which He, our LORD JESUS CHRIST in's Word, Rev. XI. 3, 5, hath said, I will give Power unto My Witnesses, &c. And if any man will hurt them, (i. e. Joyntly or severally) Fire proceedeth out of their mouth and devoureth their Enemies (i. e. in the just matter, and fervent manner of Prayer-full complaints entered into the Supreme Court ever open in the Heavenly PARADISE) against impenitent and implacable Enemies: when all earthly Courts will not sufficiently redress such aggrievances of His oppressed Ambassadors. Whether any Law in our Province of New Hampshire or of England, is criminally violated thereby if your Honour can and may convince me, it will oblige me in conformity with your aforesaid Friendly wish; in forbearing my Durham people, personal Enemies, as really as Friends, I've endeavour'd these Five Months almost to use your Copy of the Judgment with a double portion of Wisdom and Prudence, which are but despised and derided by my implacable enemies especially. I've not received from Durham as yet One Penny of said Judgment: Therefore, This is to request your Honour to draw out the Execution thereof, and to Commit it to Mr. Sherrif Rus-

sel, whom I must impower to be my Trustee-Attorney, if he may accept thereof. Who, (when he may receive sufficient of my money judged for me) with my order, will pay your Honour all your just and reasonable Demands, for your so great service in the Recovery of my case in such a Measure thereof, or for what I've obliged my self unto, in and by my so scandalous Bond aforesaid. Being in all things (when enabled willing to live honestly, But seeing I can't be regarded in my Nomination of the every way best qualified Person of all the present Inhabitants of Durham, for a Commission of the Peace: But mine Enemies must triumph over me and my Friends and over the most Godly and Honest part of said Town, under pretence of Law and Justice. If Col. James Davis or's Son Ephraim or John Woodman, Lt. Samuel Smith, or any on that side shall so bear rule any longer: then I must obey that order in Mat. x. 14. and Depart out of said Town and this Province as soon as possible; in the belief of experiencing in Due time the verifying of that which is written in Luk. XVIII, 7, 8. Eccle. VIII. 11-13. Psal. 22. XVIII. 29.

This (Honourable sir!) is propos'd to your consideration by your (yet well wishing) grateful Servant, in the Gospel ministry of the Church true, Protestant Catholick.

HUGH ADAMS.

To the Honourable Mr. Secretary, Richard Waldron, Esq.

Privy Council Order.

[Copied from MS. Corr., Vol. I, p. 99.]

At the Council Chamber Whitehall the 30th of January, 1738.

By the Right Honble the Lords of the Committee of Council for Plantation affairs.

Whereas by order of this Committee of the 9th of Decr last it was directed that the Representatives of the Province of New Hampshire, or their Agent, should be permitted to search & take Copys of Minutes & Proceedings of the Govr & Council, Minutes & Proceedings of the Council; Minutes & Proceedings of the Council in Assembly, & also Minutes & Proceedings of the Assembly of the said Province of New Hampshire, as to such points as they shall think necessary to support their Petition of Complaint against Jonathan Belcher, Esq. Governor of that Province,

And whereas a motion was this day made to their Lordships by the Sollicitor for the said Petition of Complaint, setting forth that the said Assembly is lately dissolved, and therefore praying that the Persons hereafter named may be appointed to search for & take out the Copys directed by the aforementioned order, viz. George Jaffrey, Theodore Atkinson, John Rindge, & Thomas Packer, Esq. It is thereupon Ordered by their Lordships, that the said four Persons, or any other Person to be appointed by them, or either of them, be permitted to search for & take out the Copys of Papers as directed by the afore-recited order of the 9th of last month, & that the Secretary of the said Province do attest them as true Copies, & that the Governour do affix the Seal of the Province thereto upon paying the usual Fees for the same. Whereof the Governour or Commander in Chief, & the Secretary of the said Province, for the time being, as also all others whom it may concern, are to take notice, and govern themselves accordingly.

[Indorsed "Privy Council Order, Jan. 30, 1739."]

Order for fitting out Privateers.

[Copied from MS. Corr., Vol. I, p. 101.]

Whitehall, June 15th 1739.

Sr.—As it was stipulated by the Convention concluded between his Majesty and the King of Spain, on the 14th of January last, N. S. that the sum of ninety-five thousand pounds sterling should be paid at London within the Term of four months, to be reckoned from the day of the exchange of the ratifications of the sd Convention as a Ballance due on the part of Spain to the Crown and subjects of Great Britain: And as the sd Term of four months from the Exchange of the Ratifications of the Convention did expire on the 25th day of May last and the payment of the sd sum of ninety-five thousand pounds sterling agreed by the sd Convention has not been made according to the stipulation for that purpose, by which means the Convention abovementioned has been manifestly violated and broke, & his Majesty's subjects remain without any satisfaction or Reparation for the many great and grevious losses sustained by them, his Majesty has tho't himself obliged to take such measures on his part as are necessary for the support of the Honor and Dignity of his Crown, the Security of the Just Rights of his Subjects & the good and safety of his Dominions, and has therefore ordered the Ships and effects of the King of Spain and his Subjects to be seized & taken wherever they shall be met with:—with which I am commanded to acquaint you, that you may cause the same to be made known in all places under your government, to the End that his Majesty's subjects in those Parts may be upon their guard to prevent any Mischief they might otherwise suffer from the Spaniards in revenge for the measures which his Majesty is obliged to take to do himself and his subjects Justice, and that they may in their several stations annoy the subjects of Spain in the best manner they are able.

And I send you herewith by the Kings Order, his Majesty's Warrant under his Royal Sign Manual Authorizing and Impowering you to grant Commissions of Marque and Reprisal for arming and fitting out private Ships of War agst the Ships, Goods and Subjects of the King of Spain.

And it is his Majesty's Pleasure that you should be very rigorous and severe in preventing any Amunition or stores of any kind from being carried to the Spaniards: and you are to use all proper methods that may be most effectual for this purpose.

I am, Sr, your most obedient humble servt

HOLUS NEWCASTLE.

Jona. Belcher, Esq. Govr of
N. Hampr & Massa. Bay.

Prov. of the Massa Bay, Augst 13, 1737. Recorded in the Book of Commissions from the Crown, No. 4. page 313.

Pr. Simon Frost, Dept. Secy.

N. Hampr Augst 16, 1739. Entered in the Secretary's office. The sd Being a Copy of the Originall.

R. Waldron, Secy.

[L. S.] *By the Commissioners for executing the office of Lord High Admiral of Great Britain and Ireland, &c.*

[Copied from MS. Corr., Vol. I, p. 103.]

Whereas his Majesty hath been pleased to grant Letters of Marque and Reprisals against the King of Spain and his Subjects, WE do in pursuance of his Majesty's Commission under the Great Seal of this Kingdom bearing date the twentieth of this Instant July (a Copy whereof is hereunto annexed) hereby

Will and Require his Majesty's Vice Admiralty Court of New England and the Vice Admiral or his Deputy or Judge or Judges of the said Court now and for the time being to take cognizance of and Judicially to proceed upon all and all manner of Captures Seizures Prizes and Reprisals of all ships and Goods already seized and taken and which hereafter shall be seized and taken by any of his Majesty's Ships of War or any of the Ships of his Majesty's Subjects or others which shall have letters of Marque and Reprisals And shall be bro't by the said Captors within the limits of the said Vice Admiralty of New England and to hear and determine the same and according to the course of Admiralty and Laws of Nations to adjudge and condemn all such Ships, vessels and goods as shall belong to the said king of Spain, his vassals, subjects or any other Inhabitants within any of his Countries, Territorys, or Dominions.

For which this shall be your Warrant.

Given under our hands and the Seal of the office of Admiralty the 27th day of July, 1739,

To Jonathan Belcher, Esq. Vice Admiral of New Hampshire and Massa Bay.

CHA: WAGER
THO. CLUTTERBUCK
VERE BEAUCLERK

By Comand of their Lordships,
H. Burchet.

Copy of what was given me by his Excey Govr Belcher to register in the Secretary's office of New Hampr Feby 1st 1739-40.

Richd Waldron, Esq.

Commission to the Lords of Admiralty touching Spanish prizes.

[Copied from MS. Corr., Vol. I, p. 105.]

GEORGE R.

GEORGE the Second by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith:

To our Right Trusty and Well beloved Councellor, Sir Charles Wager, Knt. and to our Trusty and well beloved Sir Thomas Lyttleton, Baronet, Sir Thomas Frankland, Baront, Thomas Clutterbuck, Esq. Harvy Powlett, comonly called Lord Harvy Powlett, John Campbell of Stack Pole Court in our County of Pembroke, Esq. and Vere Beauclerk, Esq. comonly called Lord Vere Beauclerk, our Commissioners for executing the office of our High Admiral of Great Britain and Ireland, &c. And to our Commissioners for executing the said office for the time being.

Greeting:

Whereas many and repeated Depredations have been committed, and many unjust Seizures have been made in the West Indies and elsewhere by Spanish Guarda Costas, and ships acting under the Commissions of the King of Spain or his Governors contrary to the Law of Nations and in violation of the Treaties subsisting between our Crown of Great Britain and Spain, whereby our Trading Subjects have not only sustained great losses but have also suffered in their persons by the cruelties and barbarities which have been exercised by the said Spanish Guarda Costas: and whereas WE have caused repeated Instances and Representations to be made from time to time at the Court of Spain in order to obtain redress and satisfaction for such injurious treatment and unjust practices and to prevent the like violences for the future: and whereas a Convention for making reparation to our subjects for their losses by the said depredations and seizures, was concluded between Us and the King of Spain on the fourteenth day of January last, New Style, by which Convention it was stipulated that a certain sum of money should be paid at

London within a Term in the Said Convention specified, as a ballance admitted to be due on the part of Spain to our Crown and Subjects of Great Britain, which Term did expire on the twenty-fifth day of May last, and the payment of the said stipulated sum as agreed to by the above Convention has not been made, by which means the said Convention has been violated and broke on the part of the Crown of Spain, and our Subjects remain without any reparation and satisfaction for their great and greivous Losses:—We therefore having taken this injurious treatment of the Crown of Spain into our serious consideration, have determined to take such measures as are necessary for vindicating the honour of our Crown and for procuring reparation and satisfaction to our injured Subjects.

These are therefore to authorize and WE do hereby authorize and enjoyn you our said Commissioners now and for the time being or any three or more of you to will and require our High Court of Admiralty of England and the Lieutenant & Judge of the said Court and his Surrogates, as also the several Courts of Admiralty within our Dominions, and they are hereby authorized and required to take cognizance of and judicialy to proceed upon all and all manner of Captures, Seisures, Prizes and Reprisals of all Ships and goods already seized and taken or which hereafter shall be seized and taken, and to hear and determine the same and according to the course of Admiralty and Laws of Nations to adjudge and condemn all such Ships Vessels and goods as shall belong to the said King of Spain, his Vassals, Subjects or to any others inhabiting within any of his Country's Territories or Dominions.

In witness whereof WE have caused Our great Seal of Great Britain to be put and affixed to these Presents.

Given at Our Court at Kensington, the Twentieth day of July one thousand seven hundred and Thirty nine, and in the Thirteenth year of our Reign.

Copy of what was given me by his Excellency Govr Belcher to Register in the Secretary's office, Feby 1st 1739–40.

Richd Waldron, Sec^y.

[Indorsed]
" His Majestys Commission
to the L^dds of Admiralty touching
Spanish Prizes, July 20th 1739."

GEGRGE R. [p. 109.]

Trusty and Well Beloved—We greet you Well—

Whereas several unjust seizures have been made and depredations carried on in the West Indies by Spanish Guarda Costas and Ships Acting under the Comission of the King of Spain or his Governors contrary to the Treatys subsisting between us and the Crown of Spain and to the Law of Nations to the Great prejudice of the lawfull Trade & Commerce of our subjects; and many cruelty s and barbaritys have been exercised on the Persons of such our subjects whose vessels have been so seized by the said Spanish Guarda Costas; And whereas frequent complaint has been made to the Court of Spain of these unjust practices and no satisfaction or Redress been procured; and whereas a Convention for makeing Reparation to our subjects for the losses sustained by them on account of the unjust seizures & Captures abovementioned was concluded between Us and the King of Spain on the 14th day of January last, N. S, by which convention it was stipulated that a certain sum of money should be paid at London within a Term specified in the s^d Convention as a ballance due on the part of Spain to the Crown and Subjects of Great Britain which Term did expire on the 25th day of May last and the paym^t of the said Sum agreed by the s^d Convention has not been made according to the Stipulation for that purpose, by which means the Convention abovementioned has been manifestly violated & broke by the King of Spain and our Subjects remain without any satisfaction or Reparation for the many Great & Grievous losses sustained by them: We have tho't fit for ye vindicat-

ing the honour of Our Crown & for procuring Reparation and Satisfaction for our Injured subjects to order Reprisals to be made upon the Crown & subjects of Spain. And WE do therefore by virtue of these presents authorize & impower you to Issue forth and grant Commissions of Marque & Reprisals to any of our loveing subjects or others who shall apply to you for the same and whom you shall deem fitly qualified in that behalf, For Armeing and fitting out private Ships of War for the apprehending, seizing and taking the Ships, vessels & goods belonging to the King of Spain, his vassals & subjects or any inhabiting within his Countrys Territories & Dominions in the West Indies.

Provided always that before any such Comission or Comissions be Issued forth, security be given upon such Comission as hath been used in such cases. And you shall insert in every Commission to be so granted by you all such clauses and give such Directions & Instructions to the Person or Persons to whom you shall grant such Comissions as have been usual in cases of the like nature. And for so doing this shall be your warrant. And so we bid you farewell.

Given at our Court at Kensington the fifteenth day of June 1739, in the thirteenth year of our Reign.

By his Majesty's Command,

HOLUS NEWCASTLE.

Superscribed "To our Trusty & Well Beloved Jonathan [Belcher] Esq. our Capt. General & Govr in chief of our Provinces of the Mass^a Bay and New Hampshire in America & in his Absence to our Comander in Chief or to the President of Council of our said Province for the time being.

Massachusetts Bay
New Hampshire."

Copy — Richard Waldron, Sec^y
from ye Original, Augt 16th 1739.

Address of the House of Commons about the value of Gold and Silver, and Bills of Credit.

[Copied from MS. Corr., Vol. I, p. 115]

Mercury 13th Die Junii 1739.

Resolved,

That an humble Address be presented to his Majesty, That his Majesty will be graciously pleased to give Directions, that an account be prepared in order to be laid before this House the next Session of Parliament, of what Rates all Gold & Silver Coins were accounted, received, taken or paid, and Gold and Silver were purchas'd at and sold per ounce in any of the British Colonies and Plantations in America in the year, 1700, 1710, 1720, 1730, and at what Rates Gold & Silver Coins are accounted, Received, taken or paid and Gold & Silver are purchased at or sold for pr ounce at this time in the said Colonies and Plantations, distinguishing each Colony & Plantation.

Resolved, That an humble Address be presented to his Majesty, that his Majesty will be graciously pleas'd to give Directions that an Account be prepared in Order to be laid before this House the next Session of Parliament, of what was the amount of the paper Bills or Bills of Credit, which by virtue of any Act or Acts of Assembly subsisted or pass'd in payment in any of the British Colonies or Plantations in the year 1700; and also an account of the amount of what Paper Bills or Bills of Credit of any species or kind, have by virtue of any such Act or Acts been Created or Issued in any of the said Colonies or Plantations since the year 1700, with the amount of the value in money of Great Britain of Such Bills at the respective times of their Creating & Issuing, and what provision was made thereby for the sinking or discharging any such Paper Bills or Bills of Credit, together with an account of

the amount of the Bills that have been sunk or discharged in pursuance thereof, and also of the Bills subsisting or passing in payment at this time in any of the said Colonies & Plantations with the amount of the value in money of Great Britain of such Bills distinguishing each species or kind of paper Bills or Bills of Credit, and each Colony & Plantation.

Ordered, That the said Addresses be presented to his Majesty by such members of this House, as are of his Majesty's most Honble Privy Council.

Signd, N. HARDINGE
Cl. Dom. Com.

[A Similar Address to his Majesty was ordered at the same time, "by the Lords Spiritual and Temporal in Parliament Assembled."]—ED.

Declaration of War against Spain.

[Copied from MS. Corr., Vol. I, p. 119.]

SIR—I am to acquaint you, that on fryday the 19th instant a great Council was held at Kensington, where his Majesty approved and signed a declaration of War against Spain, and ordered that the same should be published on Tuesday the 23d Instant by the Heralds at Arms in the usual places and with the accustomed Formalities on the like occasions, which was done accordingly.

And I am comanded to send you a printed Copy of the said Declaration and to signify to you his Majesty's Pleasure that you cause it to be proclaimed in the places under your Government that his subjects having this notice may take care to prevent any mischief which otherwise they might suffer from the enemy and do their duty in their several Stations, to annoy the subjects of Spain.

And his Majesty would have you be very rigorous and severe in preventing any Ammunition or Stores of any kind from being carried to them, and you are to use all proper methods that may be most effectual for this Purpose.

I am, Sir, your most obedient,
humble servant

HOLLIS NEWCASTLE.

Copy from the Original
R Waldron, Secy.

Indorsed—"Duke of Newcastle's letter to Govr Belcher to proclaim War against Spain, Oct. 29, 1739. Recd by the Govr. Apr. 17, 1740 pr Colchester man of War, via Virginia."

Certificate respecting Bills of Credit, &c.

[From MS. Corr., in Secretary's office, Vol. I, p. 127.]

Province of New Hampshire, Decr 31st 1739.

These may certify that between the yeares of our Lord one thousand seven hundred and nine and one thousand seven hundred and thirty seven, inclusive there has been emitted in Paper bills of Credit within his Majesty's Province of New Hampshire in New England, the sum of fifty-six thousand three hundred and Eighty four pounds:

The provision made for drawing them into the Treasury to be burnt was a tax on the Polls & Estates of the Province; excepting for fifteen thousand pounds, part of the sum being a Loan for which the Borrowers gave double land security; and for seventeen hundred and thirty pounds more of it, being another Loan for which Security was also given by the Borrowers. And the

said sum of fifty six thousand three hundred & Eighty four pounds is already drawn in and burnt, excepting ten thousand five hundred and seventy six pounds sixteen shillings, which is to be paid by taxes on Polls and Estates in the yeares one thousand seven hundred & forty one and forty two; and about two thousand pounds of the fifteen thousand pound loan, which is not yet bro't in and burnt by the Comittee appointed to receive it of the Borrowers.

The beforementioned fifty six thousand three hundred and Eighty four pounds is the whole sum of Paper Bills of Credit that have been at any time emitted by the Province of New Hampshire.

And this is the best Answer I can give to what is demanded of me touching the State of New Hampshire Bills (after having made the best scrutiny I can) By reason that my dwelling house was burnt three years agoe, in which (with the major part of my furniture) were lost some of the Books and most of the Acts and Papers belonging to the Secretary's office; and besides the books of the said office have not formerly been kept with a due exactness for want of a sufficient reward to the officer, the utmost allowance ever made to a Secretary being but seventy-five pounds per Annum this currency, which is not more than fourteen pounds sterling at this day and sometimes that has been unpaid for five years together.

The Rate of Silver and Exchange between this Currency and Sterling has always been the same as at Boston, which is the Grand Mart of New England, and in that respect governs the whole country.

(Copy) R. W. Secy.

King's Orders about Prayers for the Royal Family.

[From MS. Corr., in Sec. office, Vol. I, p. 129.]

[L. S.] At the Court of St. James the 29th of January 1740.

Present

The Kings most excellent Majesty.

Arch Bp Canterbury	Earl of Abercorn
Lord President	Earl of Waldgrave
Lord Steward	Viscount Torrington
Lord Chamberlain	Lord Cornwallis
Duke of Bolton	Lt. Ch. Justice Wells
Duke of Athol	Sr. Cha: Wager
Duke of Montague	Sr John Norris.
Earl of Pembroke	

Whereas his Majesty in Council was this day pleased to declare his royal pleasure that in the morning and evening Prayers in the Litany; and in all other parts of the Public service, as well in the occasional offices as in the book of Common prayer where the Royal Family is appointed to be particularly prayed for, the following form and order should be observed, (viz.)

Their Royal Highnesses Frederick Prince of Wales, The Duke, the Princesses, the Issues of the Prince & Princess of Wales, and all the Royal Family.

And to the intent that the same form and order may be observed in all his Majesty's Plantations in America, his Majesty doth hereby order that the Governor or Commander in Chief of the Province of New Hampshire for the time being, do cause the same to be forthwith published in the several Parish Churches and other places of Divine Worship within the said Province, and do take care that obedience be paid thereto accordingly.

W. Sharpe.

Copy'd from the Original,
May the 7th 1741.

Pr. Richd Waldron.

Letter from Lords of Trade respecting Bills of Credit.

[From MS. Corr., Vol. I, p. 137.]

Whitehall, May ye 20th 1740.

Sir—In pursuance of an Address of the House of Commons to his Majesty on the 25th April, 1740, and of his Majesty's Commands signified by his Grace the Duke of Newcastle, in a letter dated 30th April, you are immediately to prepare, and as soon as possible transmit to us in order to be laid before the House of Commons at their next meeting, an account of the tenour and amount of the Bills of Credit which have been created and issued in your Government that are now outstanding, with the respective times when such Bills, so outstanding were issued, with the amount of the said Bills in money of Great Britain, both at the time such Bills were Issued and at the time of preparing of y^r account.

You are likewise to send therewith your opinion what will be the most easy and effectual manner of sinking & discharging all such Bills of Credit with the least Prejudice to the Inhabitants of your Government and Interruption of the Commerce of this Kingdom,—and we desire you will use all possible dispatch in this matter that we may have your Return early enough for us to consider thereof before the beginning of the next Session. So we bid you heartily farewell, & are

Your very loving Friends & humble servants

J. Monson
R. Plummer
Edwd Ashe
M. Bladen
Ja: Brudenell

Honble Jona. Belcher, Esq.
Govr of New Hamp^r,
Novr 7, 1740.

Copy R. Waldron, Sec^y.

Letter to Gov. Belcher concerning an Expedition to New Spain, &c.

[From MS. Corr. in Sec. Office, Vol. I, p. 131.]

Whitehall, January 5th, 1739–40.

Sir

His Majesty having thought fit to declare War against Spain and being determined by all possible means to distress and annoy the Spaniards in the most effectual manner, and particularly by making an attempt upon some of their most considerable settlements in the West Indies, The King has been pleased for that purpose to order a large body of Troops under the command of my Lord Cathcart, a Major General of his Majesty's forces, to go from hence, with a sufficient Convoy of men of War to a proper place in the West Indies to be appointed for that purpose, there to be joyned by the Squadron under the command of Vice Admiral Vernon, now in the West Indies and by such a number of Troops as may be raised in his Majesty's Colonies and Islands in America.

As it has been represented to the King that a very considerable number of men may be easily had upon proper Encouragement in the British Plantations and particularly in his Majesty's Colonies on the Continent of America to serve in conjunction with the regular Troops to be sent from hence, I am to signify to you, It is his Majesty's pleasure that you should forthwith make the proper disposition for raising as many men as you shall be able to procure within your Government.

And as the King intends that the Troops to be raised in America should be commanded by Colonel Spotwood, the whole to be, however, after they shall have joyned the Regular Troops, under the command of my Lord Cathcart,

General and Commander in Chief of all his Majesty's Troops sent to or raised in America (with which I have by this occasion acquainted Col° Spotswood.)

It is his Majesty's pleasure that you should confer or correspond with Col° Spotswood if you have an opportunity upon every thing that may relate to the performance of this service.

Col° Blakeney who is appointed Adjutant General in this Expedition will set out from hence as soon as possible, with his Majesty's Letters and Authorities to you and the other Governors of his Majesty's Colonies on the Continent of America, for making the said Levies, and with the Kings more particular Instructions and Directions relating to this matter.

In the mean time the King has thought proper that I should give you this previous notice that you may be making the necessary Dispositions in order to facilitate, as soon as possible the raising the Troops.

Colonel Blakeney will carry with him a considerable Number of Arms, some samples of Cloathing for the souldiers, and what Mony or Credit shall be judged requisite for the performance of this service.

It is his Majesty's Intention to give all proper Encouragement to the new Levies, by ordering them to be supplyed with Arms, a proper cloathing and to be paid by his Majesty with an Assurance of their coming in for their share of any Booty that may be taken from the Enemy, and of their being sent back to their respective habitations, when the service shall be over, unless any of them shall desire to settle themselves elsewhere.

His Majesty will order to be sent by Col° Blakeney a number of Blank Commissions to be given, by the Governors, to the officers that are to command the Troops under Col° Spotswood.

The King has not thought proper to confine you to any particular number of men to be raised within your Government, his Majesty depending upon your care and zeal for his service, that you will procure as many as you possibly can.

You will consider how much the time presses and will therefore use the utmost Expedition in making your preparations.

It is hoped that my Lord Cathcart may be able to sail from hence in April or May next, and consequently you will take care that the Troops to be raised within your Government may be ready to be transported in time to the place that shall be appointed for the General Rendezvous with which Colonel Blakeney will acquaint you, as well as with every thing else that may be necessary for your further information and Instruction.

You will be considering in what manner to provide Transports and Provisions and even if it be necessary you will secure them out of hand for such a number of men, as you shall judge you may be able to get within your Government; or, you will correspond with any of the Governors of the neighboring Colonies relating to this matter in such manner as you shall think proper.

I am persuaded I need not say any thing to induce you to use your utmost care and diligence in an affair of this Importance and for the promoting the success of a service in which the honour of his Majesty's Crown and the interest of his subjects (especially those residing in America) are so essentially concerned.

The many Injuries and Cruelties which the Inhabitants of the British Plantations have sufferred from the violence & Depredations of the Spaniards will I doubt not be an additional motive to engage all his Majesty's faithful subjects there to exert themselves with an uncommon zeal on this occasion.

I am, Sir,

Your most obedient, humble servant

HOLLIS NEWCASTLE.

P. S. Though Col° Blakeney will be dispatched as soon as possible with his Majesty's more particular Instructions & Directions to you, yet that no time may be lost it his Majesty's Pleasure that immediately upon the Receipt of this letter you should summon a Council and Communicate to them his

Majesty's orders for the better Enabling you to put them in Execution; and that you should also forthwith issue a Proclamation in the proper form inviting his Majesty's subjects within your Government chearfully to Enlist in this service, and assuring them of a proper Encouragement for that Purpose.

HOLLIS NEWCASTLE.

Copy Richd Waldron, Sec^y.

Articles of Encouragement.

[MS. Corr., Vol. I, p. 143.]

for the Enlistment of a Company of Volunteers in his Majesty's Province of New Hampshire, for his Majesty's service in the intended Expedition ag^st the Spanish West Indies, to be annexed to & published with the Beating Orders.

1. The Soldiers are to have his Maj^ties pay and the same wch the British Troops have.
2. They are to enter into pay from the day of the Enlistment.
3. They are to receive three months advance pay before they embark.
4. They are to have 5£ a free gift from the province to be paid before they Embark and also a good new blanket.
5. There is to be laid in for them for ye voyage, one hundred pounds worth of proper stores over and above the ordinary & common provisions.
6. When they arrive at the General Rendezvous in the West Indies, they are to receive the Kings bounty of arms & regimental Cloathing as their own property.

By order of his Ex. the Govr & Council.

Aug^st 8, 1740 R. W. Sec^y.

Beating Orders.

[MS. Corr., Vol. I, p. 145.]

[Seal.] Jonathan Belcher, Esq. Govr and Commander in Chief in and over his Majesty's Province of New Hamp^r in New England, to John Eyre of Portsm^o in s^d Province, Esq.:

You being appointed Captain of the Company of Volunteers intended to be raised in this Province for his Majesty's service in the proposed Expedition against the Spanish West Indies, are hereby authorized and directed to beat up for Volunteers throughout this Province, in order to procure & engage one hundred able bodyed & effective men to Enlist under you, as their Captain, with all possible dispatch for the aforesaid Expedition, and all Colonels, Lieutenant Cols. & Majors, and all other military officers, and all civil officers, and all his Majesty's good subjects within this Province, are hereby required and desired to be aiding and assisting to you the s^d John Eyre, Esq. in raising the intended Company as above-mentioned.

Given under my hand and seal at arms the eighth day of August in ye 14 y^r of his Maj^ty's reign, Anno Domini 1740.

J. BELCHER.

Copy.

Col. Blakeney's Letter to Gov. Belcher.

[MS. Corr., Vol. I, p. 147.]

New York, 24 July 1740.

Sir—This serves to inclose to you the second & third Bills of Exchange drawn by me on Henry Pelham, Esq. Paymaster General, &c. to your order at 30d^st^ dated 18 Instant, the First whereof were sent you last Post and are, (viz.)

	No. 22 for	£400:
	23 "	300:
	24 "	250:
	25 "	150:
	26 "	157: 1
	27 "	100:
In all	6 bills	£1357: 1

I have to add that as it is for the interest of his Majesty's service and the honour of the Provinces to fulfill the engagements to the private men who gave in their names before the time of their being regularly attested & mustered by paying them their subsistence from the respective days on which they entered to the day of their being mustered into Companies; I desire you will be pleased to give directions to the several Captains & officers in your jurisdiction to make up their members of such men & days upon Oath, and that you will pay them accordingly, sending to me Duplicates of the same sworn to by them, when you shall make up and send me the accounts of the Levies in y^r^ Province.

I am with all due regard, Sir,

Your most humble servant

WILLIAM BLAKENEY.

P. S. I desire the favour that y^o^ will carefully forward the enclosed Packet to Mr. Pelham, by first opportunity.

To his Excellency, Jonathan Belcher, Esq. Governor of Massachusetts Bay, &c.

Copy Examined pr Richd Waldron, Sec^y^.

Letter from Col. Blakeney to Gov. Belcher.

[MS. Corr., Vol. I, p. 149.]

New York, 21 July, 1740.

Sir—I have received the favour of yours of the 9th and 14th Instant, in answer to which you will be pleased to follow his Majesty's Instructions to you with regard to the Levies in your Province and to give the Commissions as far as they will go to the first of the Gentlemen warranted by you to levy who first shall have compleated their Companies; and if there are any for whom you have not commissions to them you are to give Certificates of their having raised their several Companies and that pursuant to his Majesty's private Instructions to you, you had promised them Commissions which Certificates they are to show to Lord Cathcart or to the Commander in Chief for the time being, who will have blank Commissions to fill up. And in the mean time you are to furnish them with money for their subsistence, (viz.) to every Commissioned or certifyed officer from the date of his Commission or Certificate the Captains at seven shillings and six pence sterling pr day each, the first and second Lieutenants at three shillings & six pence pr day each, the

Ensigns and Adjutant at two shillings pr day each, the surgeons mate at two shillings pr day, and the private men under Commission or Certificate according to ye enclosed Estimate for a Captain & his Company which I now send you in case of any mistake in what was formerly sent you.

Of two Companies compleated here the Musters have been made up from the 25th June last to 24 August next both days included, and their subsistence for that time has been Issued to their respective Captains accordingly; the twenty fourth day of the month being the general pay day of the Army, to which day the Musters are made up every two months and to which the accounts are to be made up and receipts taken payinge each months subsistence pr advance that is the month from the 25th Instant to the 24th August next inclusive on the 25th Instant and so on. And in order to furnish you with money for such subsistence in the most convenient method I can think of for your care and the advantage of ye service I have herewith enclosed remitted you the six following first Bills of Exchange (the seconds and thirds whereof shall be transmitted to you next Post) dated the 18th inst. at 30 days sight to your order on Henry Pelham, Esq. Pay Master General &c. amounting to the sum of £1357: 1 viz.

	No. 22—1 for	£400
	23—1 for	300
	24—1 for	250
	25—1 for	150
	26—1 for	157: 1
	27—1 for	100
In all	6 Bills for	£1357: 1

which sum please to negotiate at the best exchange you can & apply towards paying the Levies at that Exchange; and what you further may have occasion for as the Companies are compleated please to advise me and it shall be remitted you. If there is any thing to be rectified or if any thing occurs wherein my concurrence is needful, I beg you will let me know it.

I am, Sr. your most obed^t & humble servant

WM. BLAKENEY.

To his Excellency Jonathan Belcher, Esq.
Govr of Mass^a Bay, &c:
Copy Examined.

Richd Waldron, Sec^y

Proceedings (1) *in the House of Representatives in relation to the Expedition against the Spanish West Indies, Aug.* 4, 1740.

[Copied from MS. Corr., Vol. 1, p. 139.]

Whereas his most Gracious Majestie has given orders for Equiping and Setting forth an Expedition against the Territories of the Catholick King in the West Indies, and has determined to Raise a Body of Troops in his Colonies on the Continent of North America to joyn his British Troops at a particular Rendezvous which will be appointed for that purpose,

And to shew our Loyalty and Zeal for his Maj^ties service, notwithstanding that this his Maj^ties Province is a Frontier in case of a French & Indian War, and the great charge we have been at in Settling the lines, and that many of our men having already Enlisted in the service under several Captains already named in the Massachusetts Bay, and most of the other Provinces Quotas are already neare perfected by reason of their being more timely advized & Encouraged by the Captains being named, and we now having but little time to get our Troops ready:

(1) These proceedings are not found in the Province Records of the above date.

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In the House of Representatives

Voted, That there be given five pounds in Bills of Credit of this Province as a Bounty to every able Bodyed man, not exceeding one hundred men including Sergeants Corporals and Drummers that shall Enlist for such Expedition under such Captains as shall be Comissionated for this Province: the said five pounds Bounty to be paid imediately after the said Company is fully compleated and ready to depart.

That a convenient Blanket be delivered to Each soldier on their Embarquing for his proper use & service

That the sum of one hundred pounds in this Province Bills of Credit be paid into the hands of a Committee to be appointed for providing a fitt Transport for transporting the Troops: and by them to be laid out in Stores fit for the Company on the voyage, and by said Committee delivered to care of the Capt. for the use of the Company, which said Committee is hereby impowered to Charter such Transport and provide mariners & sailors and Provisions and all necessarys fitt for such Transportation, the Treasurer supplying the said Committee with money for the same till the said Company arrive at the place of Genl Rendezvous.

And for defraying the charges, Voted that there be Imediately struck off of the large new Plate the sum of two thousand pounds and signed off by the last Signers that signed the last Emission put into the Treasury (taking his receipt for the same)

And for a Fund for payment of the said Sum of Two thousand Pounds, Voted that it be raised on the Poles & Estates of the Inhabitants of this Province according to the last Proportion and paid into the Treasury by the last day of December in the yeare 1742, or according to any new Proportion that shall be made between this and that time, Either in Bills of Credit of this Prov. or in Silver at twenty shillings pr oz. good merchantable Barr Iron at forty shillings pr hundred, good merchantable Hemp at Eight pence pr pound, good well drest Flax at twelve pence pr pound, which species the Treasurer is to make sale of for the best advantage of the Province, but not under the aforesaid Prizes, as Expeditious as may be for the redeeming the Bills of Credit, & whatsoever sum remains of the aforesaid two thousand pounds, That it remaine in the Treasury to be disposed of as the Genl Assembly shall order, and that an Act be drawn up accordingly: and Messrs George Walton & Hunking Wentworth be a Committee of this House to joyne with such as the Honble the Council shall appoint to draw up said Act.

August 4th 1740. James Jeffry Clk. Assm.

In Coun. Aug^st 5, 1740.

The foregoing Vote read and concurr'd with the following amendment (namely) That those clauses in the preamble be left out, which are as follows — "And the great charge we have been at in settling the lines, and that "many of our men having already enlisted in the service under several Cap-"tains already named in the Mass^t Bay; and most of the other Province "Quotas are already near perfected, by reason of their being more timely ad-"vised and encouraged by the Captains' being named, and we now having but "little time to get our troops ready" — The vote standing compleat without the above recited clauses.

Pass'd unanimously — Richd Waldron, Sec^y.

Eod^m die. In the House of Representatives.

Upon reading the Councils vote of amendm^t for leaving out sundry paragraphs of the preface to said vote: (which we think pertinent & Esteem it our undoubted right to preface our own votes, nevertheless that it may appeare to the World that we will submitt almost to any thing rather than enter into a Controversie with his Majesties' Council; and that such an Extraordinary affair which we are sensible will be so pleasing to his Maj^tie be no longer delayed, Therefore) Voted a concurrence with the Council's vote of amendm^t to above in every article.

Same day Assented to
J. Belcher.

James Jeffry, Cler. Assm.

Letter from L^ds Justices to the Govr, Oct. 2^d, 1740, A^bt Exportation of Provisions. (copy)

[Copied from a Paper on File.]

Whitehall, 2^d of October, 1740.

Sir — Their Excellencys the Lords Justices to whom his Majesty has entrusted the administration of the Government during his absence, having been informed that great quantities of Provisions have been exported from several of his Majesties Colonies in North America for the use of forreign Colonies, which may in the present Conjuncture be highly prejudicial to his Majesty's service, Their Excellencys have commanded me to signify to you their Direction that you should prevent, as far as possible, the exportation of any Provisions from the Province under your Government to any foreign Colony whatever, and in order thereto you should cause all ships laden with Provisions and not in his Majesty's service that shall sail from any of the Ports within your Government to give sufficient security to land the said provisions in some of his Majesty's Dominions. I am, Sir,

Your most obedient humble serv^t

ANDREW STONE.

Superscribed, "To Jonathan Belcher, Esq. Capt. General & Governor in Chief of his Majesty's Province of New Hamp^r in America, and in his absence to the Commander-in-Chief, or to the President of the Council of the said Province for the time being. New Hampshire."

Copied from the original May 7, 1741.

Pr. Richd Waldron, Sec^y.

JOURNAL

OF THE

GENERAL ASSEMBLY.

GOVERNOR BELCHER'S ADMINISTRATION, CONTINUED FROM MARGINAL PAGE 157, OF VOLUME IV.

[P. 158.] Anno Regni Regis Georgii secundi 12mo

Province of N. Hampr

At a General Assembly held at Portsmo by prorogation Wednesday Nov. 1st, 1738.

Present in Council

His Excellency Jonathan Belcher, Esq. Govr

Shada Walton	Esqs.	Ephra Dennet	Esqs.
Joth Odiorne		Jos. Sherburn	
Henry Sherburn		Joshua Pierce	
Richd Waldron		Ellis Huske	

Adjourned til to morrow 10 o'clock, A. M.

Prov: N. Hampr At a General Assembly held at Portsmouth by adjournment, Thursday Nov. 2, 1738.

Present in Council

His Excellency Jona. Belcher, Esq. Govr.

Geo. Jaffrey	Esqs	Eph. Dennet	Esqs
Joth. Odiorn		Joshua Pierce	
Henry Sherburn		Ellis Huske	
Richd Waldron			

A message to the House of Representatives from his Excellency by the Secy & Capt. Huske to require their attendance at the Council Board. Their Speaker and House attended accordingly to whom his Excellency was pleased to make the following speech:

Gov's speech. [See Journal of the House, p. 2.]

There being considerable ground of suspicion that there was a letter in the Post office, that would discover the late counterfeiting of some of the Prov. bills of credit, & the person to whom the letter was directed being gone out of the Province—the said [P. 159] letter was required of the Post master and by the unanimous advice of the Council the said letter was opened and read at the Board, and no discovery of wt was suspected being made, the same was return'd to the Post master in order to be delivered as directed, viz: To Joseph Franklyn, Physician.

Mr. Hugh Adams presented a Petition which was read.

Sundry persons neer North hill meeting house in Hampton Presented a Petition to be Exempt from paying taxes to the minster of Hampton.

Adjourned til to morrow 10 o'clock A. M.

Pro: N. Hampr

Nov. 3, 1738. Present [as before.]

Joseph Grele Presented a Petition for a new Parish in Kensington which was read & sent down together with North hill Petition & Mr. Adams's petition by Ellis Huske, Esq.

A message to the Board by . . . . . with an answer to his Excellency's speech and a vote for a Comitee to address his Majesty, & another vote for a Comittee to tell over the money to be burnt.

A message to the Board by Mr. Odiorne wth the Kengsington petition & Northhill petition & votes thereon.

Adjourned til to morrow 10 o'clock A. M.

[P. 160.] Pro: N. Hampr.

Nov. 4, 1738. Present [as before.]

John Dolbear and others, proprietors of Nottingham presented a petition wch was read & sent down by Mr. Atkinson. Also Dolbear's & Ben Rusts petition, and Mr. Atkinson was directed to inform the House there was nothing before the Board.

Adjourned till Monday next, 12 o'clock, P. M.

Nov. 6th 1738. [Met and adjourned.]

[P. 161.] Nov. 7, 1738. [Met. Present as before.]

Thanksgiving Proclama past.

Nath Lad presented a Petition which was read.

Joseph Peavy presented a Petition which was read.

Lad's Petition & Peavy's Petition sent down by Col Jos. Sherburn.

Geo. Jaffrey Esq. reported an address wch was read & sent down.

Adjorned til to morrow 10 o'clock, A. M.

Nov. 8, 1738. Present [as before.]

A message to the Board by Messrs Rindge & Gilman wth a vote for another Com. to tell the Bills to be burnt — returned by the Sec^y^.

[P. 162.] The Petition of Mr. John Blunt read & sent down by the Sec^ry^ who was directed to inquire whether the House had passed upon the address, & to recomend to their consideration the appointm^t^ of a Comittee to farm the Excise.

Mr. Sanburn presented a Petition for a Township wch was read:

Adjourned til to morrow 10 o'clock A. M.

Pro: N. Hamp^r^

Nov. 9, 1738. Present [as before.]

His Excellency the Govr was pleased to lay before the Board a letter from Justice Hall touching the Examination of Patrick Fisher on whom were found some Counterfeit Bills of this Province, as also the Examination: and a Petition of John Barker of Boston constable Praying an allowance out of the Treasury which were read and sent down to the House by Capt. Odiorne.

A message to the Board by Mr. Gilman wth the address — voted to be Engrossed.

[See Journal of the House, p. 5.]

Mary Williams presented a Petition praying for a Licence to retail Liq^rs^ wch was read.

The Selectmen of Hampton Falls Presented a Petition praying the Days of their Fair might be altered — which was read.

[P. 163.] A Message to the Board by Capt. Millet & Mr. Palmer with the Petition of Jos^h^ Peavey & a vote thereon, also a memorial of the Selectmen of Portsm^o^ wth a vote for Selectmen to make the Prov: tax: by the same message his Excellency was informed that a new member was attending at the House and prayed that he might be sworn.

His Excellency sent Josh^a^ Peirce & Joseph Sherburn Esqs to adm^r^ the oaths to the said new memb^r^ by whom was also sent Mary Williams petition.

Adjourned til to morrow 10 o'clock, A. M.

Pro: N. Hamp^{r}.

Fryday 10. Present [as before.]

A message to the Board by Mr. James Jaffry wth Mary Williams Petition & a vote thereon wch was read & non-concurred.

By the same message a vote for Josh^{a} Peirce recorder wch was concurred.

John Ross presented a Petition for an allowance to himself & Geo. Townsend for being a guard on Board a small-pox vessel &c. wch was read & sent down by the Sec^{y}.

Mr. John Rindge Preferred a Petition to be Excused from paying powder money wch was read & sent down by the Sec^{y}.

Adjourned til to morrow 10 o'clock, A. M.

[P. 164.] Pro: N. Hamp^{r}.

Saturday Nov. 11, 1738. Present [as before.]

A message to the Board by Mr. Packer wth a vote for a Comittee of Audit and for a Comittee to farm the Excise, and a Petition of Jabez Smith voted to be dismissed.

A message to the House by Mr. Atkinson to inform them the Council had concurred wth their vote for a Comittee of Audit, and that their vote for farming the Excise was under consideration.

The Comittee appointed to number & burn ye bills made report of y^{r} doings.

Adj^{d} til Monday next 3 o'clock, P. M.

Nov. 13, 1738.

[Met and adjourned.]

Tuesday, Nov. 14, 1738. Pro. N. Hamp^{r}. At a General Assembly held at Portsmouth by adj^{t}.

Present in council

His Excellency Govr Belcher

Shad^{a} Walton	Esqs.	Eph^{a} Dennet	Esqs.
Joth. Odiorne		Josh^{a} Peirce	
Geo. Jaffrey		Jos. Sherburn	
Henry Sherburn		Ellis Huske	
R'ch^{d} Waldron		Theo. Atkinson	

The Petition of the North hill Inhabitants read, and the Petition^{rs} and the respondents were fully heard thereon & sent down by ye Sec^{y}.

A message to the Board by Mr. Packer wth Ross Petitions &

vote thereon to be dismissed, & Capt Rindge's Petition with vote thereon.

The Petition of Grele and others for a new Parish in Kingston was read and the petitioners heard thereon & the petition sent down by the Sec^{y}.

Adj til tomorrow 10 o'clock A. M.

Nov. 15, 1738. [Met and adjourned.]

Pro. N. Hamp^{r} At a General Assembly held at Portsm^{o} by adjourn^{t} Thursday Nov. 16, 1738. Present [as before.]

A second Petition of Nathl Ladd touching the settlement of Kinsley Halls Estate was read, & sent down by Capt. Jos. Sherburn.

The Petition of Shad^{a} Walton, Esq. praying that a fifty pound ac^{t} wch he ows the Prov. may be remitted, read and sent down by Col^{o} Jo. Sherburn.

A message to the Board by Capt. Walker wth Kingston Petition and North Hill Petition wth votes thereon.

The Council concurred with the vote of Kingston Petition and likewise wth that on North Hill wth an amendm^{t} wch was sent down by Col. Jos. Sherburn.

A message to the Board by Messrs Sanburn & Wilson wth the Petition of the South Parish in Portsm^{o} & the Papers belonging thereto & votes thereon.

A message to the Board by Mr. Clarkson wth the Petition of North Hill & a vote of concurrence wth the Council amendm^{t} & *Petition & Explain^{n}* ab^{t} Rye bound^{y}.

A message to the Board by Mr. Parker wth a Bill agst Counterfeits Read & Concurred.

A message to the Board by Mr. Palmer wth Mr. Ladd's Petition & vote thereon.

A message to the Board by one of the Represen^{t} wth North-hill & Kingston Bills.

Adjourned til to morrow 10 o'clock A. M.

[P. 167.] Pro: N. Hamp^{r} At a General Assembly held at Portsmouth by adjournm^{t} Fryday, Novr 17, 1738. Present [as before.]

The Petition of Capt. Rindge & vote thereon read & voted a non-concurrence.

The vote of the House for farming the Excise read & concurred.

The Bill of North Hill read & returned by Mr. Atkinson for further consideration.

The Kingston Bill read & voted a concurrence.

A message to the Board by Messrs Peter Gilman & Capt. Jennis wth the four Bill—viz. North Hill, Selectmen, Appeal, Ejectm^t^.

A message from his Excellency to the House by ye Sec^y^ to require *his?* attendance at the Board. The Speak^r^ & House came accordingly and after Signing the Several bills that was pass^d^ to be Enacted & Engrossed the Assembly was Dissolved.

Capt Rindge admitted a Council^r^ and sworn this day being ye 17 Novr 1738, Pursuant to his Majesty's Mandamus dated July 22^d^ 1738, and now Delivered to his Excellency the Govr—a Copy on file.

The following is a copy of the said Mandamus to the Governor:

GEORGE R.

Trusty and Well-beloved, We greet you well. We being well satisfied of the Loyalty, Integrity and Ability of our Trusty and Well-beloved John Rindge, Esq. have thought fit hereby to signify our Will and Pleasure to you, that forthwith upon receipt hereof, you swear and admit him, the said John Rindge to be of our Council in our Province of New Hampshire, in the room of Benjamin Gamblin, Esq. deceased. And for so doing, this shall be your warrant. And so We bid you Farewell. Given at our Court at Kensington the Twenty Second day of July, 1738, in the Twelfth year of our Reign.

By his Majesty's Command,

HOLLIS NEWCASTLE.

To our Trusty and Well-beloved
Jonathan Belcher, Esq. our Captain General and Governor in Chief of our Province of New Hampshire in America, and in his absence, to our Commander-in-Chief, or to the President of our Council of our said Province for the time being.

[P. 168.] Anno Rg^ni^ R^is^ Geo^ii^ 2^di^ 12mo.

Pro. N. Hamp^r^.

At a COUNCIL held at ye house of Col. Henry Sherburne of Portsmouth, Saturday Nov. 18, 1738.

Present.

His Excellency Jonathan Belcher, Esq. Govr.

Geo. Jaffrey	Esqs.	Ellis Huske	Esqs.
Joth. Odiorne		Theo. Atkinson	
Richd Waldron		John Rindge	
Josh^a^ Peirce		Henry Sherburn	
Jos. Sherburn		Eph^a^ Dennet	

Voted that his Excellency the Govr be requested to issue warr^ts^

on the Treasury for Eighty Eight pounds due to the Council upon a former Certificate, and also for what shall appear to be due upon the Secretary's Certificate for the three last Sessions of General Assembly, at the rate of fifteen shillings pr day to each memb^{r} out of ye money wch was recovered on Mead^{s} bond.

[p. 169.] Voted and resolved that the Briganteen Mary & Elizabeth now riding at anchor near Anthony Island in Piscataqua River still continue under quarantine until the owners or Masters of the said vessel pay unto the High Sheriff of this Province the sum of twenty one pounds four shillings, which is to be paid by the said Sheriff, viz. twelve pounds sixteen shillings part thereof to Alexander Ross, and six pounds part thereof to George Townsend, and two pounds eight shillings being the remainder to John Peacock; and the said sum of twenty one pounds four shillings being paid to the sheriff as above, the said vessel shall be discharged from her quarantine as above and not before.

Passed unanimously

Richd Waldron, Sec^{y}.

[p. 170.] Prov. N. Hamp^{r} At a Council and General Assembly held at Portsmouth, Wednesday Octr 24, 1739.

Present in Council

Mr. President Walton

Geo. Jaffrey	Esqs.	Josh^{a} Peirce	Esqs.
Joth. Odiorne		Jos. Sherburn	
Henry Sherburn		Ellis Huske	
Richd Waldron		Theo. Atkinson	
Eph^{a} Dennet		Jno. Rindge	

Mr. Sheriff Russel made return of the Kings writ for convening an Assembly, and the Secretary with another member of the Council went down and administered the oaths to those that were returned and were then waiting, and then, Pursuant to his Excellency's the Gov^{rs} order the Secretary Prorogued the Court to the 7th of Nov. next.

Prorogued by Proclam^{a} To 22^{d} Novr 1739.

Prorogued by Proclam^{a} To 20thDec^{r} 1739.

Prorogued by Proclam^{a} To 31st Jan: 1739–40.

Province of N. Hamp^{r}

At a Council and General Assembly held at Portsmouth by Prorogation, Thursday Jany 31, 1739–40.

Present

His Excellency Jonathan Belcher, Esq. Govr.

Shad^{a} Walton Geo. Jaffrey Joth. Odiorn Henry Sherburn Richd Waldron	Esqs.	Eph. Dennet Josh^{a} Pierce Jos. Sherburn Ellis Huske Theo. Atkinson John Rindge	Esqs.

[p. 171.] A message being made by the House of Representatives to His Excellency that several members returned to serve in the General Assembly were not sworn & praying they might be qualified, his Excellency was pleased to order the Secretary and Theodore Atkinson Esq. to go to the House and swear the members above mentioned, which was done accordingly, and then the House was directed by the Sec^{ys} order to proceed to the choice of a Speaker. A message to the Board from his Excellency by Mr. Atkinson to adjourn them til to morrow 10 o'clock A. M.

Pro. N. Hamp^{r}. At a Council and General Assembly held at Portsm^{o} by adjournm^{t}, Fryday, Feb. 1st 1739–40.

Present [as before.]

Capt Edwd Hall came to the Council Board wth Capt. Thom^{s} Wallingford, and pray'd that the s^{d} Wallingford might be sworn as a member of the Assembly, which was done accordingly, and the said Wallingford repeated and subscribed the Declaration.

Thomas Millet, Esq. Nathl Gilman Esq. and Capt. Edward Hall came to the Council Board and acquainted his Excellency, that the House of Represen^{t} had chosen And^{w} Wiggin, Esq. for their Speaker.

A message from ye Govr by ye Sec^{y} to call ye House to ye Board, t^{y} came & his Ex. made a speech, &c.

[See Journal of the House, p. 11.]

[p. 172.] James Clarkson, Esq. and others Presented a Petition relating to the Parishes in Portsmouth wch was read and sent down by one of the members of the Council.

Joseph Grele and others presented a Petition touching the Parishes in Kingston, which was read & sent down by one of the members of Council.

Adj^{d} til to morrow 10 o'clock, A. M.

Pro: New Hamp^{r} At a Council and General Assembly held at Portsmouth by adjournm^{t}, Saturday Feby 2^{d} 1739–40.

Present in Coun^{l}

His Excellency Jonathan Belcher, Esq. Govr.

Shad^{a} Walton	Esqs.	Eph^{a} Dennet	Esqs.
Geo. Jaffrey		Josh^{a} Pierce	
Joth. Odiorn		Jos. Sherburn	
Henry Sherburn		Ellis Huske	
Richd Waldron		Theo. Atkinson	

John Gofe and others Presented a Petition touching the Parishes at Londonderry which was read and sent down by one of the members of the council.

Several members of the House of Representatives bro't to the Board the Portsm^{o} Petition ab^{t} Parishes, the Kingston Petition about Parishes and the Derry Petition about Parishes with votes on each of them, and also a vote for a comittee of audit, and another vote for a comittee to number the bills to be burnt.

Adj^{d} til Monday Next 3 o'clock, P. M.

[P. 173.] Pro. N. Hamp^{r}. At a Council and General Assembly held at Portsm^{o} by adjournm^{t} Monday, Feby 4th 1739–40.

Present [as before with John Rindge, Esq.]

Mr. Clarkson wth another of the Representatives came to the Board and inquired whether the Council had passed on the vote for a Committee of audit, who being told by the Secretary they had, he Pray'd his Exc^{y} to order the Treas^{r} to lay his acc^{ts} before ye auditors.

Adjourned til to morrow 10 o'clock, A. M.

Feby 5, 1739–40 [Met and adjourned 6.]

[P. 174.] At a General Assembly held at Portsmouth by adjournment Feb. 6th 1739–40.

[Present as before.]

Capt. Hall and Mr. Smith came to the Board with Eben^{r} Stevens, Esq. and pray'd he might be sworn; which was done accordingly and the s^{d} Stevens repeated & subscribed the declaration also,—

Mr. Blunt (1) presented a petition touching a sum due to him

(1) Rev. John Blunt was settled in New Castle, 1732.

from the province as Minister of New Castle which was read and sent down by Mr. Atkinson.

Mr. Adams presented a Petition touching the neglect of the People of Durham to contribute to his subsistance according to the advice of an Ecclesiastical Council, which was read and sent down by Mr. Atkinson

Mr. Packer bro't a vote to the Board for Capt. Peirce to be recorder, and likewise a written message to inquire who were auditors, &c.

Mr. Atkinson was sent down with a written message in answ^{r} to ye written message bro't up by Mr. Packer.

Adj^{d} til to morrow, 10 o'clock, A. M.

[P. 175.] Thursday, Feby 7, 1739–40.

Present [as before.]

Mr. Clarkson came to the Board and Pray'd leave to carry down the Petition ab^{t} Portsmouth Parishes in order to make an additional Vote thereon, which was granted, after which he bro't up the said Petition wth an additional vote, &c.

Adjourned til to morrow, 10 o'clock, A. M.

Fryday, Feby 8th 1739–40.

Present [as before.]

The additional Vote on Portsmouth Petition ab^{t} Parishes bro't up yesterday read and concurred.

Captain Ladd's Petition read & a full hearing was had thereon & sent down by Capt. Rindge.

[P. 176.] Mr. Wentworth and Mr. Palmer Bro't to the Board Mr. Blunts Petition dismissed, Mr. Adams Petition dismissed, Mr. Flood's petition dismissed, and a Vote to Farm the Excise.

A petition of Shad^{a} Walton Read and sent down by Col^{o} Sherburn.

Adjourned til to morrow, 10 o'clock, A. M.

Saturday, Feby 9, 1739–40.

Present [as before.]

A message to the Board by one of the members of the Assembly wth Nathl Ladd's Petition (& Papers) vote to be dismissed wch was concurred with by the Council.

Ordered that a written Message be sent to the lower House desiring to know the reason of their dismissing Mr. Blunt's Petition,

Mr. Adams Petition, & the vote of the Representatives thereon for dismissing the same read & concurred. Flood's petition also.

Chester Petition Presented by John McMurphy read.

Vote for recorder and farming ye Excise concurred.

Adjourned til Monday next, 10 o'clock, A. M.

[P. 177.] Pro. of N. Hamp^r At a Council & General Assembly held at Portsm^o by adjournm^t Monday, Feby 11, 1739–40.

Present [as before.]

Mr. Dearborn presented a Petition to be poll'd to the North-hill Parish wch was read and sent down by ye Sec^y.

Mr. Mac Murphy's Petition which was presented and read a Saturday was carried to the House by the Sec^y.

Mr. Blunt's Petition was sent back to the House wth a written message desiring to know the reason why they dismissed it, by the Sec^y.

A message to the House by the Secretary to acquaint them the Comittee on the part of the Council for auditing accounts and likewise they for telling bills, had been ready several day to enter upon the respective businesses and were now ready, & *desired ye Comittes of ye House* to joyn wth y^m y^t they might proceed without further delay.

Adj^d til to morrow 10 o'clock, A. M.

Pro: N. Hamp^r At a General assembly held at Portsm^o by adjournm^t, Tuesday, Feby 12, 1739–40.

Present his Excellency Jonathan Belcher, Esq, Govr [and Council in full.]

[P. 178.] One of the members of the Representatives bro't to the Board a Memorial of Mr. Sheriff Russel touching ye Prison with a vote thereon, also a vote for receiving the Trespass Act.

The Petition of sundry Inhabitants of London Derry, and the Petitioners and the Selectmen of the town fully heard thereon, and then the Petition wth papers relating thereto were sent down to the House by the Sec^y.

The Petition of a Comittee of the East parish of Kingston read & the petitioners & respondents being fully heard, the Petition and Papers were sent down to the House of represent^s by the Sec^y.

Adj^d til to morrow, 10 o'clock, A. M.

Thursday, Feby 14th 1739–40.

Present [as before.]

[P. 179.] Mr. Packer bro't to the Board Kingston East Parish Petition with a vote thereon.

Francis Mathes Presented at ——

Mary Macris Presented a Petition.

Adjourned til tomorrow 10 o'clock, A. M.

Feby 15, 1739–40. Present [as before.]

A message to the Board by Capt. Hale wth Derry Petition touching Parishes and vote thereon, Mem^{o} of Portsm^{o} Selectmen & votes thereon, and Mem^{o} of Justices of Superior Court without any vote.

Portsmouth Petition read and the Party's heard, on a motion made for a continuance, it was to be continued til ye next session & sent down by ye Sec^{y}.

Mary Macris Petition read and sent down by Mr. Atkinson.

Francis Mathes & others their Petition read & sent down by Mr. Atkinson.

By Capt. Gilman a bill for taxing land of non residents.

[P. 180.] A message from his Excellency to the House of Represen^{t} by the Secretary with the State and condition of Fort Wm. & Mary and an account of the Stores of War there as reported by Capt. Sherburn & Capt. Rindge.

The vote of the House on Derry Petition read, debated & non concurred.

The vote of the House on Kingston Petition read & concurred.

Adj^{d} til to morrow, 10 o'clock, A. M.

Saturday, Feby 16, 1739–40.

[Met and adjourned.]

Tuesday, Feby 19, 1739–40

[P. 181.] The answer to his Excellencys Speech read at the Board.

[See Journal of the House, p. 18.]

A remonstrance of the Selectmen of Portsmouth touching the admission of Town Inhabitants and a vote thereon read at ye Board & concurred.

A memorial of Mr. Sheriff Russell touching the deficiency of the Goal and a vote thereon read and concurred.

Joseph Dearburn's Petition appointed to be heard this day was sent down by Capt. Huske in order to be heard there first.

A Bill for taxing ye land of non-resident Proprietors read.

A Representation of Mr. Treas^r Sherburn touching the money Due from Capt. Garrish's Estate & also from Col^o Vaughan's estate read and sent down by Mr. Atkinson.

Joseph Dearburn's Petition to be set off to North-hill Parish (so called) was read, and he and the Selectmen of Greenland (as respond^ts) being fully heard, the said Petition and Papers were sent down to the House by ye Sec^y.

A message to the Board by Capt. Roby wth a vote for a Comittee of the House to joyn wth a Comittee of the Council to view ye fort.

Adj. til to morrow, 10 o'clock, A. M.

Pro. N. Hamp^r.

Thursday, Feb. 21st 1739–40.

Present [as before.]

[p. 182.] Mr. Packer bro't to the Board a vote for a tax for Powder.

Mr. Wallingford and Mr. Smith bro't several Papers to the Board: viz. Macris Petition, Mathes Petition, Dearborn's Petition, Road Island Vote, Capt. Garrish's money vote.

A message to the Board by Capt. Roby wth the Bill ab^t Militia and a vote ab^t Treasu^s Acc^t the Militia Bill read and concurred.

Upon a reconsideration of Derry Petition for a new Parish Mr. Atkinson was sent down wth a vote of Council for giving the Petitioners leave to bring in a Bill.

Fryday, Feby 22, 1739–40.

Present [as before.]

The bill for Proprietors to Levy taxes read a second & third time and non-concurred

A message to the Board by Messrs Wentworth & Walton wth Derry Petition & votes, & ye Coun^l concurred with ye amendment.

Mr. Stevens bro't Capt. Walker's Petition to the Board, wch was read wth ye vote thereon wch was concurred.

Powder Vote read and concurred wth amendment & sent down by Mr. Atkinson.

One of the members bro't to the Board, the Justices of the Superior Court y^r memorial.

Adj^d til to morrow, 10 o'clock, A. M.

[P. 183.] Pro. N. Hamp^{r}. At a General Assembly held at Portsm^{o} by adjournment, Saturday Feby 23^{d}, 1739–40.

Present [as before.]

A message to the House from his Excellency by the Secretary with a written message—as follows—namely to hasten.

A Bill for Docking an Intail bro't in, read, voted, and sent down by the Sec^{y} for concurrence.

Mr. Packer bro't a written message to his Excellency as follows, ab^{t} Treas^{r} accts.

His Ex. sent the Sec^{y} to the House to tell them since the business was not yet bro't to a close, he would have them set in the afternoon, & then adjourn to Monday 10 o'clock, A. M., and that he would adjourn the Assembly to the same time in stead of 3 o'clock, P. M., as has been usual.

One of the members of the Lower House bro't up a vote for supplying the Fort with powder wch was read and returned by Messrs. Jaffrey, Odiorne & Atkinson for the assemblys reconsideration.

Adjourned till Monday next, 10 o'clock, A. M.

[P. 184.] Monday, Feby 25, 1739–40.

Present [as before.]

Mr. Wentworth and Capt. Gilman bro't to the Board two Bills with votes thereon, concurred to be Enacted, viz. Derry New Parish & Docking Intail, also a vote desiring His Excellency to order the Comittee to pay ye residue of y^{e} £15,000 loan.

The Sec^{y} carryed down 4 Bills, viz. Downing's, Derry's, Military and Trespass, to be signed by the Speaker, wch was done, and bro't back and signed by ye Sec^{y}, and assented to by ye Govr.

Adj^{d} til to morrow, 10 o'clock, A. M.

Tuesday, Feb. 26, 1739–40. Met.

[Copied from MS. "Gov^{rs} Messages," in the Secretary's office, p. 181.]

26 Feb. 1740.

Gent^{m} of the house of Representatives.

You have now Spun out this Session the length of Two ordinary Sessions for an Assembly of this Province & have done nothing that you cou'd judge might take Effect for Putting the Frontiers by Sea & Land into a Posture of Defence, Nor have you so much as attempted the Payments of the Just debts of the Province or the making any provision for the future support of the Civil Government. In duty therefore to his Majesty & from a Tender Regard to his People I have ordered the Secretary to Declare this Court

DISSOLVED.

J. BELCHER.

Febuary 26th 1739–40.

[P. 185.] Anno Regni Regis Georgii 2^{di} decimo quarto.

Pro. N. Hamp^{r}. At a Council and General Assembly held at Portsmouth, Wednesday, July 21st, 1740.

Present in Conn.

Mr. Presid^{t} Walton.

Geo. Jaffrey Joth. Odiorne	Esq.	Ric^{d} Waldron, Jno. Rindge	Esq.

Mr. Sheriff Russel made return of the King's writ for summoning an Assembly: the names of the persons returned are as follows (see writ.)

Pursuant to an order from his Excellency the Govr to the Presid^{t} the Secretary was sent down to adj^{n} the Genl Assembly to the 31st inst. wch was done accordingly.

Pro. N. Hamp^{r}.

Thursday, July 31st, 1740. Present

His Excellency Jonathan Belcher, Esq. Govr.

Shad^{n} Walton Geo. Jaffrey Joth. Odiorn Henry Sherburn Richd Waldron	Esqs.	Eph^{n} Dennet Josh^{n} Peirce Jos. Sherburn Ellis Huske Theo. Atkinson John Rindge	Esqs.

The members returned to serve on the Assembly sent a message to his Excellency that there was a quorum convened, whereupon his Excellency was pleased to send Geo. Jaffrey and John Rindge, Esq. to adm^{r} the oaths to the s^{d} members and to cause his Majesty's Commissions to be take[n] repeated and subscribed, who reported they had done it.

A message by these members to his Excellency to acquaint him y^{t} ye Represent had chosen A. Wiggin, Esq. for y^{r} speaker.

Adj^{d} till to morrow, 10 o'clock, A. M.

Fryday, August 1, 1740. Present [as before.]

Met and adjourned til 3 P. M.

[P. 188.] [Met according to adjournment.]

A message from his Excell^{y} to the House of Representatives by the Sec^{y} to require their attendance at the Council Board.

They attended accordingly, to whom his Excellency was pleased to make a speech as follows: (1) a copy of which was delivered to the speaker. His Excellency laid before the Board His Majesty's Instructions to him bearing date 2d of April, 1740, touching the Expedition agst the Spanish West Indies which were read, and then his Excellency sent the Secretary with said Instructions to the House of Representatives and ordered him to read them in that House wch was done accordingly.

A message to his Excy from the House by one of their members, requesting a copy of *that Instructions*, whereupon his Excellency ordered the Secretary to carry to the sd House a copy of the 8th Instructions attested as what principally & immediately concern'd them wch was forthwith done accordingly.

Adjd til tomorrow, 10 o'clock A. M.

Saturday, Augst 2d, 1740.

[Met accordingly. Present as before, except Shada Walton.]

A message to the Board by Messrs Packer & Jo. Hale wth a vote touching ye Expedition.

[P. 187.] A message from ye Coun. by ye Secy to tell 'em the Coun. would enter into ye consideration of their vote a Monday morn & to desire they would attend early.

Adjd til Monday, 10 o'clock, A. M.

Pro. N. Hampr At a Coun & Genl Assembly held at Portsmo by adjt Monday.

August 4th 1740. Present in Council.

His Excellency Jona. Belcher Esq. Govr

Geo. Jaffrey Joth. Odiorne Henry Sherb Ellis Huske	Esqs.	Richd Waldron Eph. Dennet Jos. Sherburn Theo. Atkinson John Rindge	Esqs.

Two members bro't to his Excy the represent answer to his Excy's Speech.

[Answer to his Excellency's speech, copied from MS. Vol. I, "Governours Messages," etc., p. 189.]

May it please your Excellency,

The House having taken your Speech to us yesterday into consideration, cannot but say that we esteem it an unhappiness that what your Excellency there recommends comes so late to us in this way, and that having another

(1) This speech cannot now be found.—Ed.

government that takes up so much of your time and for which you are so much concerned, we could not meet in General Assembly til there had been a long session in that Province, and til the business of it was finished. For though it be true that your Excellency issued out proclamations in order to our Enlisting men, for his Majesty's service, it was not likely that any number should Enlist amongst us til they knew what encouragement would be given them here and who would be their imediate Captains which could not be known til now, when there is but little time left; and for the foregoing reasons sundry of our men have enlisted under the Commanders appointed in the other Province. As to what your Excellency mentions of the numbers y^t we raised and the Expence we were at upon the Canada Expedition, we must observe that was an instance of that great forwardness that we have always shown for his Majestys service, and that what you mention as that which might have been a just discouragement at that time, (viz.) our long, cruel and bloody war, and reaping the fruits of our fields with our lives in our hands, was a great inducem^t for us to do as we did:—for the Expedition was designed against a People that we supposed to instigate the Indian Enemy to most of their Barbarities and we were in hopes if it had succeeded that it would have been a means of putting an End to their Cruelties and have tended to our future safety and security, and we were willing to put ourselves to almost any difficultys for the sake of so great a blessing. And besides, though our number be much increased since that time we were not then under the Restriction as to a paper Currency that we are now when we cannot Issue Bills, but what must presently be called in again which makes the raising men much more burdensome, and then, though as your Excellency says, we are for the present at peace with our French and Indian Neighbors, It is well known that the Indians have been wont to grow sturdy and troublesome upon the least prospect of a rupture wth France, and they have lately given out many threatenings and should they break out into a War we should want our men for the defence of his Majesties Prov. But notwithstanding all this we have chearfully pass'd a vote for the encouragement of men to enlist in his Majesty's service and sent up to the Board in pursuance of what your Excellency recomended to us yesterday in the afternoon, and shall be still ready to do every thing in our power, that we possibly can in our present situation: and as we beg leave to add to what your Excellency says of former Assem^s that they have made repeated professions of the readiest obedience to his Majesty, that we hope they have made good those professions, we assure you that we shall do the same and be not only forward to afford Him any assistance in our power in carrying on the just and necessary war which he has entered into, but exert ourselves upon this and all other occasions for his Majesties Honor & Interest.

Andrew Wiggin, Speaker.

Aug^st 2^d 1740.

A message to the House by Messrs Jaffrey, Waldren, Atkinson & Rindge with the vote of the House sent up on Saturday to recommend it to their reconsideration and amendm^t and to read to them Col^o Blakeney's letter to his Exc^y as Dated in July last, and also the Instructions shewing that ye appointment of the officers appertaining to the Govr & Conn.

A message to the House by Jno. Rindge, Esq. to propose to them the raising a Comittee to make an estimate of the sum necessary to be raised for ye present Expedition.

A message to ye Board by several members with a vote for raising £3000 &c. for ye Cuba Expedition.

Adj^d til to morrow, 10 o'clock, A. M.

Pro. N. Hamp^{r} At a Genl Assemb. held at Portsm^{o} by adj^{t} Tuesday Augst 5th 1740.

Present in Council.

His Excellency Jona. Belcher Esq. Govr

Shad^{a} Walton	Esqs.	Eph^{a} Dennet	Esqs.
Geo. Jaffrey		Josh^{a} Peirce	
Joth: Odiorne		Jos. Sherburn	
Henry Sherburne		Ellis Huske	
Richd Waldron		Theo. Atkinson	

The vote of the House sent up yesterday for raising £2000 (1) towards ye Cuba Expedition read and the question put whether the Council will concur with it as it stands, it passed in the negative. Then it was concurr'd with amendm^{ts} and sent down by the Sec^{y} for concurrence.

A message to the Board by two members of the House with a report & vote ab^{t} a Boundary between the two parishes in Kingston.

Also a vote for a Comittee to make an Estimate of ye charge of ye Expedition to Cuba.

Also, an address to his Exc^{y} to desire a copy of his instructions, &c.

P. M.

A message to the Board by two of the members with the vote for transporting troops concurr'd with the Council's Amendm^{t} & his Exc^{y} assented to it.

The vote of the House sent up in the morning for a Comittee to make an Estimate read, voted a concurrence.

A Petition of the Selectmen of Chester read and sent down by ye Sec^{y}.

A message to the Board by one of the Lower House with a vote of represent. for a Comittee to provide transports &c. read and concurr'd (2).

Adj^{d} til to morrow 10 o'clock, A. M.

(1) Preceding record, £3000.—Ed.

(2) In the margin is the following:

Sent Livermore kingston report & papers ——	Returned.
Sent Packer Derry Papers	Returned.
Lent Geo. Walton ye Transport, Vols?	

Pro: N. Hamp^{r}.

[p. 189.] Wednesday, Augst 6, 1740.

Present — [Governor and Council as before.]

A Petition of a Committee of Barrington to enable them more effectually to collect Proprietors taxes, read and sent down by Mr. Dennet.

The Petition of the Selectmen of Chester sent down yesterday bro't to the Board by Capt. Roby. Lent Livermore Chester Petition — Returned.

A Petition to the selectmen of Kingston read & sent down by the Sec^{y}.

A message to the Board by one of ye House wth a vote for adding £700 to ye 2000 £ already voted. This vote *lent* (?) to Mr. Wentworth.

A message to the Board by one of the members wth Kensington Petition & vote allowing of ye an assembly man.

Adj^{d} til to morrow, 10 o'clock, A. M.

Pro. N. Hamp^{r}. At a Coun. & General Assembly held at Portsm^{o} by adj^{t}, Thursday, Augst, 7th, 1740.

Present in Coun.

His Excellency Jonathan Belcher, Esq. Govr.

Shad^{a} Walton Geo. Jaffrey Joth. Odiorne Henry Sherburn Richd Waldron	Esqs	Josh. Peirce Jos. Sherburn Ellis Huske Theo^{e} Atkinson	Esq.

His Excellency's Message, Aug. 7, 1740,

[Copied from MS., "Gov^{t} Message," p. 191.]

Gentlemen of the House of Represen^{ts}.

In answer to y^{r} Message of the 2^{d} Instant, I must observe to you, That the King has invested me with the power of convening, adjourning, proroguing & dissolving of Assemblys' & that I have always made it one Rule of my Administration to exercise that power so as might most contribute to his Majesty's service & to the ease of his subjects. Nor have I ever sufferr'd the affairs of my other Government to interfere with those of this but have as often visited this Prov: & held as many sessions of General Courts (or more) than any of my Predecessors have heretofore done.

The principal design of this Session being only to give you an opportunity of doing y^{r} duty to the King in raising what money might be necessary for victualling & transporting a number of men for the intended Expedition, who were not under any necessity of proceeding in less than a month from my mentioning the matter to you, I well knew you had time sufficient for making the proper provision for them. In obedience to his Majesty's orders I gave reasonable notice to his good subjects of the Prov: of the intended Expedition as I did in the neighboring Government & in the way & manner his

Majesty directed to. The Act begun in y^r House & since past the whole Legislature plainly shews what you call *the little time left* has been more than sufficient for y^r doing y^r duty in this affair. You y^r selves have obviated the difficulty y^o inadvertently started as to raising money by reason of the King's restriction on a paper currency since y^o have provided that the people may pay this tax in sundry species of the Province instead of bills of Credit. What I have now said I think must convince all reasonable men and even make you confess y^t what y^o would have laid as obstacles in the way of y^r duty were but frivilous pretences & serve only to shew the little regard y^o have to the King's service & honour; while I consider this, & that an Assembly can always be convened in this Province in the space of 14 days, I have ordered the Sec^y to declare this

DISSOLVED.

Aug. 7, 1740 J. B.

[P. 190.] A message to the Board by Mr. Packer with three bills past in the House wch were read & concurred, viz. Kingston, Chester London Derry.

A message to the House from ye Council per Messrs Waldron & Atkinson to desire they w^d give dispatch to the Bills for defraying the charge of the Troops, &c. postponing their attention to any other matters til the business of the Expedition is completed.

DISOLVED.

[P. 191.] Anno Regni Regis Georgii 2^di 14to.

Pro. N. Hamp^r. At a Council and Genl Assembly held at Portsm^o, Thursday 12 Feby 1740–1.

Present in Coun.

Joth. Odiorne, Richd Waldron } Esqs — Jos. Sherburn, Ellis Huske } Esqs.

Theo. Atkinson, Esq.

The Sheriff made return of the King's writ for electing representatives. The names of the persons elected & returned are as follows, And^w Wiggins, &c. vide writ.

As many of the representatives being twelve were sworn by Richd Waldron and Jos. Sherburn, Esqs. pursuant to an order from his Exc^y the Govr.

Then the Sec^y adj^d the Coun^l and Genl Assembly by his Exc^ys order to Fryday the 20th Instant at 4 o'clock, P. M.

Fryday, Feb. 20th 1740–41. [Met according to adjournment.]

Present

Richd Waldron Ellis Huske, Esqs.

The Council and Genl Assembly by his Excelly^s order to the Secretary were

Adjourned to Fryday the 27th inst.

[P. 193.] Fryday, Feby 27, 1740-1.

Present in Coun^{l}

His Excellency Jona. Belcher, Esq. Govr.

Shad^{a} Walton	Esqs	Josh^{a} Peirce	Esqs.
Joth. Odiorne		Jos. Sherburn	
Henry Sherburn		Ellis Huske	
Richd Waldron		Theo. Atkinson	

The representatives sent a message to his Exc^{y} by the door keeper to inform, there were several members attending wch were not sworn, and to pray they might be sworn. His Exc^{y} sent the Sec^{y} & Jo. Sherburn. Esqs. to the House to swear them wch was done. The Sec^{y} was also ordered by his Exc^{y} to direct the represent^{s} to proceed to the choice of a speaker & to present him wch was done.

Mr. Clarkson and 3 other members came to the Council Board to inform his Exc^{y} that the represent^{s} had chosen Andr^{w} Wiggins, Esq. unanimously for their speaker.

A message from his Exc^{y} to the House by Mr. Atkinson to require the attend^{ce} at ye Coun. Board. The Speak^{r} and House came up accordingly, to whom his Exc^{y} was pleased to make the following speech, (1) and upon the speaker's request gave him a copy of it. Then the Assembly withdrew.

A message to the lower House from his Exc^{y} by the Secretary wth a copy of ye Instructions and of Adm^{l} Ver—ons letter referred to in his Exc^{y}'s speech.

Adj^{d} til to morrow, 10 o'clock, A. M.

[P. 195.] Saturday, Feb. 28, 1740-1.

Present [as before.]

A message from the lower House by Mr. Packer to his Exc^{y} requesting a copy of the plan of Merrimack river annexed to his Exc^{ys} Instructions.

A message to the Lower House from his Exc^{y} by Capt. Huske to show them the plan of Merrimack annexed to his Instructions, and to Inform them they should be served with a copy as soon as it could be prepared.

A message to the Board by one of the represent^{s} with a vote for preparing a Bill to limit the exportation of provisions to his Majesty's Dominions & subjects only. Which was concurred with.

Adj^{d} til Monday next 11 o'clock, A. M.

(1) This speech cannot now be found.—Ed.

Monday, March 2d 1740–1.

[Met according to adjournment.]

A message to the Lower House from his Excy by Mr. Atkinson with a copy of the Plan annexed to his Exys Instructn.

P. M.

A message to his Excy by Capt. Walker to inform that a member was attending who had not been sworn, & to pray that he might be sworn, which was immediately done by the Secy & Jo. Sherburn, Esq.

Adjd til to morrow, 10 o'clock, A. M.

Tuesday March 3d 1740–1.

[Met according to adjournment.]

A message to his Excellency by Mr. Geo. Walton to pray that a new member just come to town might be sworn wch was done accordingly by the Secy & Jo. Sherburn, Esq.

By Mr. Walton a written message was bro't his Excy, praying the House might be advised what method his Excy proposed abt running the boundaries.

Adjd til to morrow, 10 o'clock, A. M.

Message of the House to the Governor, March 3d, 1740–1.

[Copied from MS. "Govrs Messages," in Secy office, p. 195.]

A message from the House of Represents to his Excelly about the affaire of the Lines refer'd to in his Speech of Feby 27th 1740–1.

May it Please your Excellencie,

The House having maturely perused his Majesties Aditional Instruction to your Excelly Relating his Majties Judgmt in the affaire of the Boundry Lines, which you was pleased to comunicate to the House, And finding the said Instruction is directed to your Excelly as Govenr of the Massachusetts only, and therefor apprehend it was never the intent of his Majtie that this Province should be at any further charge in ascertaining the Lines; besides we find that his Majtie hath confirm'd that part of the Comissrs Judgmt that saith the charge of the Comission as also of the Comissrs & their offices &c. shall be Equally born by both Provinces.

A considerable Ballance according to the Judgment being due from the Massachusetts to this Governmt, a Particular Account of which as we are inform'd hath been presented to your Excelly, while the Genl Court of your other Governmt was sitting, by the Comittee appointed by the Genl Court of this Province, that attended on that affaire, which we hope your Excelly will see adjusted (and supposing we were to beare our proportion) yet that Ballance being much more than what we think will be sufficient for defraying the whole charge in ascertaining the other parts of his Majties Judgmt so that we did not think to be call'd upon for any supply of money on this affaire.

Notwithstanding all which rather than the Executing his Maj^{ties} Judgm^{t} should be any ways delayed, if your Excell^{y} insist upon a supply from this Province, we will be ready to do every thing that may be proper on our part.

But we are at a loss to know what Provision to make, or what supply will be sufficient for that End till your Excell^{y} shall be pleas'd to advise us of the method you propose of doing it in for guidance and direction.

In the House of Representatives

Voted to be sent to his Excell^{y}.

James Jeffry, Cler. Ass^{m}.

The answer of the House of Representatives to his Excelly^{s} Speech of the 27th Feb^{y}.

[Copied from MS., "Gov^{rs} Messages," Vol. I, p. 205.]

May it please your Excellencie,

We the Representatives of his Maj^{ties} Province of New hampshire in Genl Assembly conven'd, having taken your Speech into consideration cannot but say that we are sorry his Maj^{ties} additional Instruction to your Excell^{y} with his Royal Determination on the Boundary Lines (which we long since have had an account of) comes so late in the manner you are now pleased to recommend it to us for a supply, and seeing the Winter has been so suitable for the effecting such an affaire, it might possibly have been compleated by this day, if it had been earlier recommended to us.

We do not think it strange that your Excelly^{s} other Governm^{t} have shewn themselves so backward to comply with his Maj^{ties} Instruction, nor are we surprised at the Resolution of that Assembly to postpone this affair. It being no more than the Representative Body of that people have been Resolved upon for thirty years past, and as they have always done what they could to obstruct the decision of that matter, we make no doubt but they would be glad if it might never be bro't to an Issue.

We being willing to manifest the like duty & Loyalty to his Maj^{tie} that former Assemblys have been wont to do, & being desirous that his Royal orders might be imediately put into Execution (Tho' as we apprehend it was the Business of the Mass^{a} by his Majesties Instruction to have don it at their own cost,) We have unanimously Voted a supply into the Treasury for that service, of five hundred pounds, Depending upon your Excelly^{s} declaration that you will do your part, as we have cherefully & readyly done (as we think) more than owers.

As to the other additional Instruction laid before us we esteem it an unhappiness that your Excell^{y} is under those restrictions, and wish his Maj^{tie} had so fully been informed of our Circumstances, as to know how difficult & almost Impossible it is for us to do what is necessary for the defence of the Province wthout the immediate Emission of Bills of Credit; And as your Excell^{y} tells us, We know the ruinous condition which the only Fort of the Province lyes in, we are at a loss how to prevent it, our paper Currency not being to Extend beyond the next yeare; But having already come into such measures, shall be willing to do all we can in our present situation.

With respect to the State of the Treasury we shall looke into it as your Excell^{y} recomends, if we are allowed the time and act in the affaire as we are able.

As to the Exportation of Provisions, as we have already come into a vote relating to that affaire, we shall take the matter into further consideration and be willing to do all that can be tho't proper for his Maj^{ties} service.

But with respect to what your Excell^{y} offers to our consideration, relating to the manufactory notes of a Combination of Persons in the other Governm^{t} we beg leave to observe that as we have not the scheam laid before us, And a

great many of us are unacquainted with it, It will be rash in us to Act in that matter till we know more of it. But shall be willing in that and every thing else to comply with whatever appears to be for the Hon^{r} of his Majestie and the good & safety of the People whom we Represent.

Andr^{w} Wiggin, Speaker.

March the 13th 1740–1.

[P. 197.] Wednesday March 4th 1740–1.

[Met according to adjournment.]

A written message to the House from his Excellency by the Sec^{y} concerning the method of running the boundaries.

P. M.

His Excellency was pleased to make a Speech to both House wch was read at Council and then sent to the low'r House by the Secretary recommending the nominations of Persons to run the line.

A message to the Board by Messrs Davis & Barwth a vote for raising 700 £ to repair the fort, also a vote to farm the excise which last was concurred.

Adjourned til to morrow 10 o'clock, A. M.

Gov. Belcher's Speech, March 4, 1740–1.

[Copied from MS., "Gov^{rs} Messages," in Secretarys office, Vol. I, p. 197.]

Genl of ye House of Represen^{ts}

In answer to your Message to me requesting to be informed of ye method in which I propose to execute his Majesty's Judgment, I think the best way of doing it will be by a skillfull surveyor or surveyors and chainmen on oath with a proper number of spotters and baggagemen to attend them. If you think of any other better way, I would readily fall into it and since the season is so very suitable to do the business I am of opinion it is best to have two companys to go to Pentucket Falls together and while one of them runs the West course, the other sh'd run the curve line to the sea, and a third company sh'd at same time go upon the northern Boundary from the head of Newchawanock river, this will give a quick dispatch to the whole affair and enable me soon to lay the return before his Majesty in Council which I shall gladly do as soon as the business is accomplish'd. My principal busyness with an Assem. at this time was to lay before them the King's royal orders in this matter depending on their making a sufficient supply of mony to carry these orders into Execution; and you now say you are ready to do every thing proper on your part, which I desire may be done with all possible dispatch, and I assure you no time shall be lost by me to put forward this important affair so necessary to the peace and quiet of his Majestys subjects of both Provinces. As to what you mention of an acct. presented me by a Committee of this Prov. I never saw any but what was brot me by a pretended or real messenger from them in an indecent improper manner without any letter accompanying it, or so much as a cover to it, that I know not whether the person had come fairly by the acct. or whether he had any busyness with it. I tell you this by way of caution, to prevent your being imposed on by misinformation; if you have any acc^{t} that you desire me to lay before the Mass^{a}

Assem. I will readily do it at the first opportunity and let you know ye result of my so doing. I sh'd be glad, Gen^t to do any thing in my power for his Majesty's service and for the weal of this Province.

J. BELCHER.

March 4th 1740–1.

[Copied from MS., "Gov^rs Messages," Vol. I, p. 207]

Gen^t of ye Coun. and of the House of Represen^ts,

I have already laid before you his Majesty's orders to me for carrying his Judgment in Council respecting the Boundaries betwixt this Province and that of the Mass^a Bay into execution, and altho this affair is under the absolute direction of the King's Governor yet I shall be glad of your advice and nomination to me of a double number of p'sons fit for the service out of which I would appoint a sufficient number to go through the busyness, and in this matter no delay must be made.

J. BELCHER.

March 4, 1740–1.

Pro. N. Hamp^r At a Council and General Assembly held at Portsmouth by adjourn^t Thursday, March 5, 1740–1.

Present in Council

His Excellency Jon^a Belcher, Esq. Govr.

Shad^a Walton	Esqs.	Josh^a Peirce	Esqs.
Joth. Odiorne		Jos. Sherburn	
Henry Sherburn		Ellis Huske	
Richd Waldron		Theo. Atkinson	

[P. 198.] John Kenny and Otis Pinkham presented a Petition in behalf of the Quakers &c. wch was read & recommended & sent down by Mr. Atkinson.

A message to the Board by Mr. Packer wth a vote for buying powder, who also informed His Exc^y that there was a member waiting that was not sworn, and praying he might be sworn, which was done by the Sec^y and Col^o Jo. Sherburn, Esq.

P. M.

A written message to his Exc^y. by Messrs Gillman and Stevens, requesting his Exc^y's opinion on the King's Instructions.

5 March, 1741.

A Message from the House of Representatives to his Excell^y in answer to his Mess^a of the 4th curr^t.

[Copied from "Gov^rs Messages in Sec^ys office," Vol. I, p. 199.]

May it please your Excell^y.

On the 3^d Inst this House came into the following determination & accordingly sent a Mess^a to your Excell^y of that Date, That they would peremptorily comply in Every regard with the King's Instruction in that affair of the Lines & that they cherefully would be at the cost of running them in case his Maj^tie

in said Instruction had but hinted it as his pleasur, which we humbly conceive by the direction of said Instruction, was not meant or intended, and in the said vote we gave sundry reasons for our opinion on that head, since which we have received your Excell^{ys} Mess^{a} of yesterday to this House, and another to his Maj^{ties} Councill and this House of the same Date, But neither Enlightens the House in the affaire of the supply.

What the House then principally wanted to Enquire of y^{or} Excell^{y} was, Whether his Maj^{tie} expected this Province should be at the whole Expence, or Whether your Excell^{y} by that Instruction you was pleased to Comunicate to us, tho't this Province was to be at the Expence.

Your Excell^{y} in the first Mess^{a} to the House of yesterday was pleased to say you depended upon our making a sufficient supply of money to carry those orders into Execution, And by the King's Instruction now before us, the House by no means thinking that requires any such thing, so at the same time we are to a man willing to be at the Expence, if that was his Maj^{ties} pleasure, the supply being what was principally mentioned by your Excell^{y}. The House begs your Excell^{ys} advice and assistance in getting over that head first, & then we can assure your Excell^{y} one moment of time shall not be left by us, but will instantly make all proper Provision on our part so as his Majesties Royal determination relating the Boundary Agreeable to his Maj^{ties} Instruction to your Excell^{y} on an affaire of so great a consequence to the Peace & welfare of his Maj^{ties} good subjects of this Province, which your Excell^{y} cannot but be sensible of the steady zeal they have prosecuted the same even to the obtaining his Majesties Royal determination in the affaire, and would therefore by no means render fruitless the Labour of so many years by a sudden hurrying into measures contrary to his Majesties Royal Instructions to your Excell^{y}, which is the maine reason we are so cautious to apply to your Excell^{y} for advice in the before mentioned heads.

We are sorry the Gen^{t} that delivered your Excell^{y} the accompt of Expences of this Province on the affaire of the Lines behav'd to your Excell^{y} with any indecencie & improper behaviour.

We have Inquired of the Comittee who Informs us that such behaviour is what they could not suspect from the knowledge they have of that Gen^{t} nor from his character & the reason the Committee give the House, of their delivering of that accompt to your Excell^{y} thro' his hands, was because they had formerly wrote your Excell^{y}, desireing you wou'd receive from him, as from them, any papers relating to the Lines, and he had often times waited on your Excell^{y} on their behalf on that affaire.

We do not understand by the Kings Instruction that we have any thing to do with the Mass^{a} Assembly in the affair, your Excell^{y} being the Person to whome his Majesties Instructions is directed, and the only person to whom the Comittee could apply, and as we think agreeable to the Express words of the Instruction, which we apprehend Respects the Expences so farr as mentioned in the Judgm^{t} as well as the Lines themselves.

James Jeffry, Cler. Ass^{m}.

March 5th 1740–1.

The vote sent up in the morning for buying 400£ worth of powder read and concurred.

The vote sent up yesterday for a tax of 700£ in specie read and non-concurred unanimously

A message to the Board by Messrs Roby & Giddens with a vote for a Committee of Audit.

Adj^{o} til to morrow, 10 o'clock.

Fryday March 6, 1740-1. [Met according to adjournment]

[p. 199.] A message to the Board by Messrs Jennis and Gage wth a bill prohibiting the killing of Deer.

The Quaker petition.

A bill ag^st^ Exporting Provisions.

A written message from his Exc^y^ by the Sec^y^ ab^t^ Explan^a^ of Instructions.

[Copied from MS. "Gov^rs^ Messages," Vol I, p. 193.]

Gent. of ye House of Represen^ts^.

In answ^r^ to yor Message of yesterday, I w'^d^ observe y^or^ desiring my explanation of ye King's royal order about the boundaries as to what in them relates to you, I by no means dare to do, because I find no direction in the King's order to Expound upon it but only to communicate the same to the Council and Assembly, which I did at the first opening of this Sessions, and it is with you Gentlemen to understand and act for yourselves, and I think you need be at no loss about this Province being at the expence of the service now to be done, since I have so plainly urged it upon you once & again, and I now repeat when you have made the needfull supply of money, I shall pay the strictest obedience to his Majesty by carrying his royal order into Execution without delay. And I would further say unless you make such provision the matter must stil remain undone.

J. Belcher.

March 6, 1740-1.

A message to the House by Mr. Atkinson wth the bill ab^t^ Deer to be amended.

A message to the Board by Messrs Walton & Davis wth the bill ab^t^ Deer amended, Also a vote for 500£ to settle the lines.

Adjourned til to morrow, 10 o'clock, A. M.

Pro. N. Hamp^r^ At a Council and Genl Assembly held at Portsm^o^ by adjournment Saturday March 7, 1740-1.

Present in Council

His Excellency Jona. Belcher, Esq. Govr.

Shad^a^ Walton Joth. Odiorn Henry Sherburn Jos. Sherburn	Esqs.	Ellis Huske Theo. Atkinson	Esqs.

A message to the Board by Messrs *Matoon* and *Barr ?* wth a vote for amending the Provision Bill

Adj^d^ til Monday next 10 o'clock, A. M.

[P. 200.] Pro: N. Hamp^{r} At a Council and Genl Assembly held at Portsm^{o} by adjourn^{t} Monday March 9th 1740–1.

Present in Council

His Excelency Jona. Belcher, Esq. Govr.

Geo. Jaffrey Joth. Odiorn Henry Sherburn Richd Waldron	Esqs.	Josh^{a} Peirce Jos. Sherburn Ellis Huske Theo. Atkinson	Esqs.

Shad^{a} Walton, Esq

A message to the Board by Messrs Clarkson & Pack—
Adj^{d} til tomorrow, 10 o'clock, A. M.

Tuesday, March 10th 1740–41. [Met according to adjournment.]

[Present as before.]

A message to the Board by Mr. Walton and another member praying the House might have leave to withdraw their vote which was sent to them by Theodore Atkinson, Esq.

[P. 201.] P. M.

A message to the Board by Messrs Stevens & Mr. Odiorne wth the Bill to prohibit the Exportation of Provisions: also a vote for appropriating 500£ to repair the Fort, wch was concurred.

A message to the House by Capt. Huske to desire the Acct. of ye Committee appointed to hire a transport &c. who bro't it to the Board.

Adj^{d} til tomorrow 10 o'clock, A. M.

Wednesday, March 11, 1740–1. [Met according to adjournment.]

[Present as before.]

The vote for a Committee of Audit read & concurred.

A written message to his Exc^{y}—nothing was lying before the House, &c.

A message to the Board by Col^{o} Jo. Sherburn to Inform them the vote of the House for an Audit is concurred wth And that the Auditors on the part of the Board, would attend to morrow at 8 o'clock, A. M.

Adj. til to morrow, 10 o'clock A. M.

[P. 202.] Thursday, March 12th 1740-1.
[Met and adjourned.]

At a Council held at Portsmo Thursday March 12, 1740-1.

Present

His Excellency Jona. Belcher, Esq. Govr.

Shada Walton Geo. Jaffrey Joth. Odiorne Henry Sherburn	Esqs.	R. Waldron Josha Peirce Jos. Sherburn Ellis Huske	Esqs.

Theo. Atkinson, Esq.

His Excelency proposed the employing Mr. Walter Bryant as a Surveyor wth 8 Assistants to run out and mark the boundary between this Province and the County of York pursuant to his Majties addl Instructions, & that ye sd Bryant sh'd have 23 s per day, and five pounds when he made his report, and his assistants 13 s pr day each, to wch the Council did advise & consent, and the Surveyor and chainmen were then sworn & sent forward immediately.

Fryday, March 13th 1740-1. [Met according to adjournment.]

[Present as before, except Shada Walton Esq.]

A message to the Board by Messrs Roby and Barr wth a bill to ease People that were scrupulous in swearing. Concurred.

Vote to tax Chester — Concurred.

& a vote to pay Tom Pinkham — concurred.

Mr. John Ayre presented a Petition wch was read & recomend'd to the Assembly, and sent down pr Theo. Atkinson, Esq.

By Mr. Atkinson also was sent down the Quakers Bill (past in the House) to be signed by the Speaker which was done.

Mr. Atkinson carried down, also, a new new Bill passed in Conn. to prevent the Exportation of provisions.

[P. 203.] P. M.

A message to the Council by two of the House wth an acct of Capt. Rindge and a vote thereon, also another acct of the Committee (appointed to wait on ye line Commrs, with a vote thereon.

A message to his Excy by two of the membrs with an answer to his Excys Speech.

Adjourned til tomorrow, 10 o'clock, A. M.

At a Council, March 16, 1740–1.

[Present as before.]

His Excelency proposed the Employing George Mitchell, Esq. as a Surveyor to run out & mark the similar curve line pursuing the Course of Merrimack river at 3 miles distance on the north side, pursuant to his Majesty's additional Instructions, to which the Council did advise & consent and the surveyor & chainmen were then sworn & went forward immediately.

Saturday, March 14, 1740–1.

[Met according to adjournment.]

[Present as before.]

Several Messages to the Board by several members, with the Provision Bill wch was concurr'd; also with vote for a record^{r} wch was concurr'd, & a message to the Govr ab^{t} the Treas^{er} Accts.

His Ex^{y} imediately ordered the Treas^{r} to lay before the Assem. what further accts. they wanted of him without delay, and sent Mr. Atkinson to acquaint ye Assem he had given such order.

Adj^{d} til Monday next, 10 o'clock, A. M.

[P. 204.] Monday, March 16, 1740–1.

[Met according to adjournment]

A message to the Board by Messrs Parker and Davis wth a vote for paying to ye Hampton Committee £751: 6: 2. out of the money provided for ye Expedition agst New Spain, and to inquire whether the vote of allowance to the Hampton Committee sent up ye 14 curr^{t}, was concurr'd.

Adj^{d} til tomorrow, 10 o'clock, A. M.

Tuesday, March 17, 1740–1.

[Met according to adjournment.]

A message to the House by Messrs. Odiorne & Atkinson wth a message from his Exc^{y} proposing an allowance for arrearage of his Salary.

[P. 208.] At a Council, March 17, 1740–1.

[Present as before.]

His Exc^{y} proposed the employing Mr. Richd Hazzen as a Sur-

veyor to run out and mark the west line from a point 3 miles north of Pawtucket to be continued til it meets wth his Majesty's other Governm^ts^ pursuant to his Majesty's additional Instructions, for £300, to which the Council did advise and consent, and the S^d^ Hazzen & his chainmen were then sworn, and proceeded immediately.

Loss on Gov. Belcher's Salary.

[Copied from a Paper in "Governor's Messages," in Secretary's office.]

Computation of the loss on the Gov^s^ Salary occasioned by the low value of the Bills of Credit, being £600 in Bills of Credit, and supposed to be worth at the settlem^t^ of ye Salary £200 sterling, and was always intended to be equivalent thereunto & hereby to answer his Majestys Royal Instruction on that head.

1730 Augt 25 To Aug^st^ 25 1731	
One year Salary Sterl^g^	£200
Exch^a^ then Curr^t^ at 250	£500
	£700
Rec^d^	£600
Suffered	£100
1731 to 1732,	£200
Excha. 250,	£500
	£700
Rec^d^	600
=	£100
1732 to 1733	£200
Excha. 270	£540
	£740
Rec^d^	600
=	£140
1733 to 1734	£200
Exch^a^ 300	£600
	£800
Rec^d^	600
=	£200
1734 to 1735	£200
Exch^a^ 425	£850
	£1050
Rec^d^	600
=	£450
1735 to 1736	£200
Exch^a^ 425	850
	£1050
Rec^d^	600
=	£450
1736 to 1737,	£200
Exch^a^ 425	850
	£1050
Rec^d^	600
=	£450
1737 to 1738	£200
Exch^a^ 425	850
	£1050
Rec^d^	600
=	£350
1738 to 1739,	£200
Exch^a^ 425	850
	£1050
Rec^d^	600
=	£450
1739 to 1740	£200
Exch^a^ 425	850
	£1050
Rec^d^	600
Suffered	£450

So that the Govr has lost by the sinking of the Bills,

In 1731	£100
32	100
33	140
34	200
35	450
36	450
37	450
38	450
39	450
40	450
	£3240

Besides the interest for his money for several years while there was no supply to the Treasury.

Gentlemen of the Council and of the House of Representatives.

I have been so great & so long a sufferer by the continual sinking of the publick Bills of Credit that I am obliged to lay the State of that matter before you where you will find I make due to me from the Province upwards three thousand pounds — expecting you will think it reasonable that provision be made for securing this deficiency to me, when you provide for the other just debts of the Prov.

March 17, 1741. J. Belcher.

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17 March 1740–1

In the House of Representatives

May it please your Excellency

Upon your Mess^{a} to this House this morning relating to the loss you have sustained in your Sallary by the depreciating of money We have had recourse to a vote of a former Assembly for the settlem^{t} of your Sallary, and we find by the said vote your Excell^{y} is allowed six hundred pounds pr Annum of the Currency of this Province, but nothing mentioned in said vote respecting either the Rise or fall of money. Agreeable thereto in your own words in your Speech to that Assembly in the yeare 1730, viz. "But as you have duti-"fully complied with his Maj^{ties} order in fixing my support, I am content, and "thank you, and I will at no time take any money but what is my due and "that in the most laudable way and manner."

James Jeffrey. Cler. Ass^{m}.

Mar. 17th 1740–1. Voted.

[p. 205.] Prov: N. Hamp^{r}.

At a Council and Genl Assembly held at Portsmo' by adjournm^{t} Wednesday March 18, 1740–1.

Present in Council

His Excellency Jona. Belcher, Esq. Govr

Geo. Jaffrey	Esq	Josh^{a} Peirce	Esq
Joth Odiorn		Jos. Sherburn	
Henry Sherburn		Ellis Huske	
Richd Waldron		Theo. Atkinson	

Shad^{a} Walton, Esq.

A message to the Board by Mr. Davis wth Mr. Ayres Petition

& vote thereon which was sent back by Messrs Jaffrey and Atkinson, for to be reconsidered, who were directed by his Excellency to recommend to them a further provision for running the lines, it being the Govr and coun^{s} opinion that the five hundrd pounds already granted is insufficient; Mr. Ayres Petition was bro't back by Messrs Jaffrey & Atkinson & the Coun^{l} concurred with the vote of Assem. thereon,—also the vote to pay the Committee y^{e} £751 : 6 : 2. The Coun^{l} non-concurr'd ye vote of Assembly for paying Capt. Rindge's Estate 3143 : 8 : 1 1-2.

A message to the House by Capt. Huske from his Excell^{y} to inquire whether they had any thing to send to the Board, who returned that he had done the message, and the House had nothing to send up.

A message from his Exc^{y} to the House by the Sec^{y} to inquire whether they had any additional supply for running the lines to send up, and in case they had not then to dissolve them. *He ?*—who returned the speaker answered they had no additional supply to send, and that he then declared the General Assembly Dissolved pursuant to his Exc^{ys} order & they were Dissolved accordingly.

[P. 206.] At a Council held the same day, P. M. viz. March 18, 1740–1.

Present in Coun^{l}

His Excellency Jona. Belcher, Esq. Govr

Geo. Jaffrey Joth. Odiorne Henry Sherburn Richd Waldron	Esqs	Josh^{a} Peirce Jos. Sherburn Ellis Huske Theo. Atkinson	Esqs.

Shad^{a} Walton, Esq.

His Exc^{y} proposed the drawing out of the Treasury the residue of the money appropriated for running of the line in order to pay of the persons employed in that business as their sh^{d} be occasion. To which the Council did advise and consent. His Exc^{y} proposed the drawing out of the Treasury £400 appropriated to buy powder, for the fort to which the Council did advise and consent.

His Exc^{y} proposed the drawing out of the hands of the Committee appointed to hire a transport for the West India Expedition the money lying in their hands, and so much more out of the Treasury as will make it £500 to repair the Fort. To which the Council did advise and consent.

His Exc^{y} proposed Mr. President Walton Col^{o} Jo. Sherburn & Ellis Huske, Esqs. to be a Committee to repair ye fort Wm. & Mary according to a vote of ye Genl Court, passed ye 10th inst. to which the Council did advise and consent.

ADMINISTRATION OF GOV. BENNING WENTWORTH.

RECORDS OF THE COUNCIL.

NOTE BY THE EDITOR.

His Excellency, BENNING WENTWORTH, came to the Government on the 13th day of December, 1741, and opened his Commission as Captain-General, Governor and Commander-in-Chief, and Vice-Admiral of the same, and after the Commission read and oaths administered, a Proclamation was made to continue all officers, Civil and Military, in their places till further order.

The Records and Documents which relate to the Administration of Governor Wentworth, are comprised in

I. The Records of the Council,
II. The Journal of the House, and
III. The Journal of the General Assembly, together with valuable Papers and Letters which have reference to affairs of the same period. This volume embraces only so much of his Administration, as extends from 1742 to the close of 1749.

The following Records of Council are copied from a MS. volume in the Secretary's office, labelled "Council Records, 1742 to 1767, 1772 to 1774." The same Records are also found in the back part of "Charter Records, Vol. I." Pages in the margin correspond with the volume from which transcribed.—ED.

[P. 1.] Province of New Hampshire.

Anno Regni Regis Georgii Secundi Magnæ Brittaniæ, Franciæ et Hiberniæ, Decimo Quinto.

At a Council held at Portsmouth by his Excellency's order upon the 5th Day of April Anno Domini 1742.

Present (1) his Excelency Benning Wentworth, Esq. Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne	Esqs.	Ellis Huske Theodore Atkinson Richd Wibird	Esqs.

His Excelency the Governour asked the advise of his Majesty's Council whether they would advise him to Issue his Warrants on the Treasury for the payment of the several allowances made to sundry Persons by the Gen[l] Assembly in their sessions begun &

(1) The Editor does not think it necessary to *repeat* the names of the Governor & Council, at every session, but only to denote the changes in attendance.

holden on the thirteenth of July last, either by vote or Act of the s^d General Assembly.

To which the Council then present did unanimously advise & consent.

At a Council held at Portsm^o by his Excellency's order on the 14th day of April 1742.

Present [the same as before.]

His Exceleney Proposed to his Majesty's Council the Issuing of a Proclamation relating to the Distruction of the Pine Trees in his Majesty's Woods & for the preventing thereof. And also one other Proclamation relating to the Paper currency of this [P. 2.] Province now outstanding, giving notice that the same will not be curr^t longer than the last day of December next. To both which Proclamations His Majesty's Council did advise & consent And are as follows viz. vide files of Council minutes. (1)

His Exceleney the Governour laid before the Board a Plan of a Part of the Rivers Merrimack & Connecticut with a Plan or survey of several Towns lately said to be laid out by order of the Mass^a Governm^t and it appearing by the said Plan that the greatest part of the s^d Land lying between the s^d rivers & to the northward of the Massachusetts northern Boundary line was thus surveyed and this land had as yet very few Improvements thereon, & his Excelency hereupon proposed to the Council the granting a double line of Towns on the west of Merrimack river beginning at the Boundary line between the Governments & to run up the river till it comes to Pemigewasset river, each Town to be of the contents of six miles square & no more.

To which the Council did advise as soon a suitable number of Persons should apply to the Governour & Council for such Townships.

The Petition of the Selectmen of Kingstown praying to have a confirmation of their charter & if any ambiguity therein to have it rectifyed being read & the charter in the s^d Petition referred to alsoe read and the consideration thereof suspended till to morrow, Eleven of the clock in the forenoon, to which time the Council is adjourned.

Province of New Hampshire, Thursday, April 15th 1742.

The Council met according to adjournment.

Present [as before, also]

Joshua Pierce & Saml Smith, Esqs.

[P. 3.] The Selectmen of Kingstown their Petition & charter

(1) These files cannot now be found.—ED.

read again & voted that there be a surveyor & chainmen appointed & sworn to go to Kingstown & measure from that part of the boundary line between Hampton & Kingstown that is reputed to be seven miles west from Hampton Meeting House & measure from that station west & by north ten miles, from thence to measure upon a south point so far as to include the Two hundred acres grants so called made by Kingstown & from thence due East till it comes so low down as to intersect a north & south line drawn from a red oak tree & stones near Mitchel's Line so called, which ranges with Reuben Hoit's barn & William Rowell's house & that Mr. Walter Bryant be the surveyor to do the business above s^d & to provide too good chain men who are all to be under oath to the faithful Discharge of their respective Trusts and to make a Plan of their Survey and of the Town of Kingstown—particularly discribing the Lines herein directed to be run and return the same to his Excelency the Governour as soon as conveniently may be don. The Charge of this Survey & Plan to be born & paid by the Town of Kingstown.

Province of New Hampshire } At a Council held at Portsmouth within the Province afores^d the 20th Day of May, 1742.

Present, His Excellency Benning Wentworth, Esq. Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Joshua Pierce Joseph Sherburne	Esqs.	Ellis Huske Theodore Atkinson Richd Wibird John Downing	Esqs.

His Excelency read at the Board a Paragraph of two Letters from Mr. Agent Thomlinson of the 6th of Feby and 30th of October last relateing to sundry Petitions made to his Majesty in Council by Mr. Thomas Hutchinson and others inhabitants of the Government of the Massachusetts Bay relateing to the settlement of the Boundary Lines between the two Governments.

And hereupon his Excelency desired the advice of the Council what answer he should make to the agent.

[P. 4.] Whereupon the Council advised his Excelency to forward to the Agent Copys of the sundry Petitions from those persons from the Sea to Pawtucket Falls & any other Petitions filed in the Secretary's office from such persons as had formerly obtained grants from the Massachusetts, and to direct the agent to defend this Government against the afs^d Mr. Hutchinson & others Petitioners in the best manner he can (1).

His Excelency laid before the Board a Letter signed J. Spooner

(1) See "Correspondence," in this volume, Nos. 51 & 52, where the same matter seems to be referred to.—ED.

& Zach. Bourryan dated London, Jany 29th 1741 in behalf of themselves & Mr. Needham in relation to a grant of a Tract or Tracts of some of his Majesties unappropriated Land within this Province which they would settle as soon as families could be procured.

& hereupon his Excelency desired the advise of the Council whether he should make a grant to the s^{d} Gentlemen — upon which the Council did advise that a grant of six miles square on the West Side of Merrimack river should be made as soon as the same was surveyed & a plan taken upon consideration that the s^{d} Gentlemen put sixty families upon the s^{d} Tract of land within four years from the date of the Patent unless a French or Indian war should happen & in that case to have four years after the end of such war if required.

Province of New Hampshire.

At a Council held at Portsm^{o} June 11th 1742.

Present. His Excelency Benning Wentworth, Esq. Governour.

Henry Sherburne	Esqs.	Theodore Atkinson	Esqs.
Joshua Pierce		John Downing	
Joseph Sherburne		Samuel Smith	

His Excelency laid before the Board a Survey of the Town of Kingstown taken by Mr. Walter Bryant according to the order of Council of the fifteenth of April last which was debated upon and then ordered to lay upon the Table till to morrow morning half an hour after nine of the clock, to which time the Council is adjourn'd.

Province of New Hamp^{r} Saturday June 12th 1742.

The Council met according to adjournment.

[Present — as before.]

[p. 5.] Upon considering the Petition above mentioned & the survey made by Mr. Bryant it is voted that the southern Bounds of Kingstown shall be a straight Line drawn from a stake in Mitchell's Line so call'd that stands in a hollow or vale at the north end of a Road and on the easterly side of s^{d} road that leads from Almsbury cross the Children's Land so called to Londonderry south east corner & that all other sides of the s^{d} charter be as heretofore settled between Kingstown & Derry, Chester, Exeter & Hampton, & that his Excelency be desired to grant a charter accordingly.

His Excelency the Governour asked the advice of his Majesty's Council whether they would advise him to grant Charters of Incorporation to such persons as are comodiously situated for Par-

ishes & Towns that by the late settlement of the Province Line fall within this Government and are without any of the Towns formerly granted by this Government beginning at South Hampton lately incorporated & to end at Litchfield & Notingham so called including those last mentioned places.

To which the Council did advise and alsoe that his Excelency would be pleased to enquire into the circumstances of the afors^d People by a Committee.

Province of New Hampshire.

At a Council holden at Portsmouth on Thursday July the 8th 1742.

Present—His Excelency Governour Wentworth.

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne	Esqs.	Joshua Pierce Theodore Atkinson Richd Wibird	Esqs.

His Excelency asked the advise of the Council whether he should grant his Warrant on the Treasury for the payment of the sundry allowances made by the General Assembly in their Sessions begun the 13th Day of January last, & according to an Act passed the 3^d of April last.

To which the Council did advise as the several allowances in the s^d Act mentioned are or shall become due.

Province of New Hampshire.

At a Council held at Portsmouth, October the 11th 1742.

[P. 6.] Present—His Excellency Benning Wentworth, Esq. Governour.

George Jaffrey Jotham Odiorne Joseph Sherburne	Esqs	Theodore Atkinson Richd Wibird	Esqs.

His Excelency proposed to the Council the Issuing a Proclamation for a General Thanksgiving as usual in this Province at this season of the year which was proposed on Thursday the 11th of November next. To which his Majesty's Council did advise. Vide files for Proclamations.

Province of N. Hamp^{r} } At a Council held at Portsmouth on Saturday March the 12th 1742-3.

[Present as above — also Henry Sherburne, Esq.]

His Excelency proposed to the Council his issuing a Proclamation for a Publick Fast as has been usual at this season of the year to be kept on Thursday the 24th of this Inst. March, to which the Council did advise & consent.

Province of New Hampshire

At a Council holden at Portsm^{o} on Monday April the 11th 1743.

Present — his Excellency Governour Wentworth

George Jaffrey	Esqs.	Ellis Huske	Esqs
Jotham Odiorne		Theodore Atkinson	
Joseph Sherburne		Richd Waldron	

His Excelency laid before the Board his Majestys mandate signifying his Royal Will & Pleasure that Saml Solly Esqr should [P. 7.] be sworn and admitted one of his Majesty's Council for this his Maj^{ties} Province & thereupon his Excelency directed the Secretary & Richard Wibird, Esq to administer the several oaths to the s^{d} Samuel Solly Esq. which are required by act of Parliament by his Excelency's Instructions & by the Province Laws which was accordingly done & the s^{d} Solly admitted to his place at the Board accordingly.

His Excelency alsoe laid before the Board a letter signed John Ffawler Comander of his Maj^{ties} ship the Deptford Storeship dated the 27th March last desireing his Excellency would cause thirty one able bodied men fit for his Maj^{ties} service to be rais'd to serve on board said ship.

Which letter being read his Excelency desired the advice of his Maj^{ty} Council what method they would advise him to take in procuring the s^{d} number of men that will be most for his Maj$^{ty's}$ service & least distressing to the Trade & comerce of the Province which the Council desired to consider of till to morrow, and then the Council adjourned till tomorrow 6 o'clock after noon.

Accordingly on Tuesday April 12th 1743,

The Council met again according to adjournment.

Present — His Excelency the Governour

George Jaffrey	Esqrs	Richd Wibird	Esqs.
Ellis Huske		Saml Solly	
Theod Atkinson			

The above letter being read again the Council came to the fol-

lowing resolution, That his Excelency be advised to issue out his Warr^{t} to the sheriff his Deputies & to the Constables of the respective Towns within this Province to impress thirty one able men to serve on board his Majesties ship the Deptford store ship agreeable to the representation made to his Excelency by Capt. John Ffawler Comander of s^{d} ship — Inhabitants having families & saylors belonging to laden outward bound vessels & coasters excepted.

Letter from Governor Shirley relating to the foregoing matter.

[Copied from "Belknap Papers," p. 187.]

Boston, April 4, 1743.

Sir. I had your Excellency's favour by Gerrish & inclose, as you desire, the form of my warr^{t} for Impressing Seamen for his Majesty's service within the Massachusetts Governm^{t} together wth a Warr^{t} for preventing persons from escaping your Warrants by crossing the River into my Governm^{t}. Your Excelleney will find by the form inclos'd y^{t} the Gov^{rs} of this province always issue such Warr^{ts} wch the advice of his Maj^{ies} Council wch method I constantly pursue; & that the exceptions in those warr^{ts} are the same with those in the Warr^{t} which I now send your Excellency, & y^{t} the direction of those Warr^{ts} are to the sheriff of the County where the Impress is made, his Deputies & the Constables, & not to the Comander of his Maj^{tys} ship, for the service of wch they are granted; tho' it is the best method (& what I pursue) to have an officer or two of the ship & a convenient number of the seamen to assist the civil officer in Executing the Warr^{t}, & see y^{t} he does not let any of the Impress'd men buy themselves off. I must apprize your Excellency now of the difference between our two governm^{ts} in respect to Impress Warr^{ts}. I am forbid expressly by the Royal charter of K. William & Q. Mary granted to this Province to transport any Inhabitant of the Province out of it without the consent of the General Assembly, wch is the reason of that exception in my warrant as to Inhabitants of this Province: But that is not your case, so that such an exception in your warrant is discretionary as to yourself, for your Province has no charter to tye your hands: and as this Province very much depends upon coasting vessels & Fishermen for its provisions, y^{t} I have found the Impressing of seamen out of them to be of pernicious consequence to it. The Govr of this Province always excepts such out of his Warr^{t} & also seamen belonging to outward bound vessels laden & ready to sail, except upon extraordinary emergencies. The seamen, when Impress'd by my Warr^{t} are to be deliver'd to your order, which will answer the same End as if express'd to be deliver'd to Capt Ffawler directly to whom you may give an order to receive 'em & put 'em on board. The Council would not advise to a larger warr^{t} or in another shape; otherwise you should have had it more at large: I hope this may answer your purpose: But the application comes to me at an unlucky time; for I have very lately issu'd Warr^{ts} for Impressing 80 men for the Province galley, & expect daily to issue another for a large number of seamen for his Maj^{tys} service on board the Astra Capt. Swanton in Boston harbour. The Warr^{t} I now send you met therefore wth some opposition at the Board, and I am oblig'd at the instance of the gentlemen of the Council to mention to your Excellency y^{t} they expect your Governm^{t} should be at all charges for the Execution of my Warrant, wch I should not otherwise, as it is likely to be but a trifle, have thought of.

As I shall be oblig'd for want of time to refer Capt. Ffawler to this letter, I beg your Excellency would let him peruse it & am with great sincerity & Respect,

Sir, your Excy's most obedient
Humble servant

W. Shirley.

Province of New Hampshire.

At a Council holden at Portsmouth April 23d, 1743,

[P. 8.] Present—His Excellency Governour Wentworth.

Jotham Odiorne Joseph Sherburne Ellis Huske	Esqs	Theodore Atkinson Richd Wibird	Esq

His Excelency laid a Letter before the Council from Admiral Vernon dated the 15th of August 1742 directed to Governour Shirley & alsoe Governour Shirley's Letter incloseing a copy of the sd letter from the Admiral to his Excelency Governour Wentworth wherein the sd Letter from Admiral Vernon is supposed to be intended for his Excelency Govr Wentworth, and also informed the Council what steps he had taken in order to furnish the Deptford storeship with men & laid before the Board a second letter from Capt. John Ffawler Comander of the sd ship & then desired of the Council their advice what steps he should take further in order to the maning the sd ship.

Upon which his Majtys Council after deliberation came to the following resolve, viz.

That inasmuch as they had on the twelfth Inst. advised his Excelency to grant his Warrant for Impressing thirty one men, the number desired to be raised, &c. which hitherto proves ineffectual for procuring the whole number required, wherefore resolved That his Excelency be desired to keep the sd Warrants Extant & that Capt. Ffawler may be notified thereof, the Council imagining that in a few days this method may supply him with his complement or that it may be made up out of Vessels inward bound.

Province of New Hampshire

At a Council holden at Portsmouth August 29th 1743.

Present—His Excelency B. Wentworth, Esq. Governour

Geo. Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne	Esqs.	Ellis Huske Theodore Atkinson Richd Wibird,	Esqs.

His Excelency laid before the Board his Majtys royal approbation of the Act of this Province for emitting the sum of twenty-five thousand Pound upon Loan.

And then it was put to the Council weither James Clarkson, [P. 9.] Esq. should be employed in gooing to Boston to agree with a proper person to come into this Province by the 20th of September next & imprint the sd Bills & to purchase paper & other materials sufficient to carry the sd work into Execution—and alsoe weither his Excelency should be desired to grant his Warrant on the Treasury payable to the sd Clarkson for the sum of fifty six

pounds nine shillings and six pence out of the money put into the Treasury for the Payment of the £4720 last emitted to which his Maj^{tys} Council did advise & consent.

Alsoe his Excelency proposed to the Council the issuing a Proclamation for a Publick Thanksgiving thro' out this Province on account of his Maj^{tys} Preservation & the success of his arms at Detingen (1) — to which the Council did advise & consent.

Prov. N. Hamp^{r} At a Council holden at Portsmouth the 10th of October 1743.

Present — His Excelency Benning Wentworth, Esq. Govr.

George Jaffrey Henry Sherburne Ellis Huske Theod. Atkinson	Esqs.	Richard Wibird Samuel Smith John Downing	Esqs.

An Indian called Coaus by Mr. Millar an Interpreter desireing to speak to the Governour & Council and said that he was desired by the Indians to acquaint his Excelency that they were very desirous of having a Truk house placed near the river Pemigewasset where they might have such supply^{s} as was necessary for their furrs that they might not be imposed upon as they often were when they came into the lower Towns & that they tho't it reasonable to have some satisfaction for the Lands if the English settled it they never haveing had any as yet.

His Excelency asked them if for the present orders should be given to some suitable person at Canterbury to supply them it would answer their end. To which he answered it would do very well.

His Excelency told him he should meet the Assembly in November [P. 10.] when he would recomend it to them to furnish them with what they wanted and asked what things would be most suitable — he — He answered Powder shot, Bullets, flints, knives, blankets, shirts, cloath for stockings, pipes, tobacco, rum—

With regard to what he said about the Lands his Excelency told them that his Majesty the King of England claimed the Lands and had put them under his Government and that he could by no means have any thing to say to them by way of purchase but would some time next Sumer have an interview with them if they tho't proper and would see that they had justice done them. To which Coaus said it was what pleased him very much.

The Governour asked him how many Indians there were. He said there were but three or four that claimed the Lands at Pemigewasset.

(1) *Dettingen*, a town in South Germany, where in June, 1743, the allied British and Austrian army under George II. gained a victory over the French under Marshal Noailles.—ED.

The Governour asked him where they would choose to meet.—Indian—In this town is as good a place as any. Governour—How many will come down—Indian—About fifteen. Govr. What time of the year—Indian—In the Spring when the snow is gone, & if the Governour will send us word to Canterbury we will give notice to the rest of the Indians & will come at your Excelencys Time.

Mr. Smith & Mr. Jennis as a Comittee for imprinting the £25000 Loan took the oath for the faithful discharge of the said Trust agreeable to the Act.

Mr. Johnson and the men imployed in engraveing & stamping the same took an oath alsoe faithfully to perform the same.

Mr. Smith desired he might have an order from the Governour & Council for the Plates & chests in which they are now lockt up in—on the Treasury.

Upon which his Excelency asked the advice of the Council weither he should grant an order on the Treasurer for the s^{d} Plates to be delivered up to the Comittee afores^{d}. To which the Council do advise & consent.

His Excelency asked the advice of the Council weither he should issue a Proclamation for a Publick Thanksgiving, it being customary to have one about this season.

To which the Council did advise & Consent.

[p. 11.] Prov. N. Hamp^{r}

At a Council holden at Portsmouth on Wednesday the 12th of October, 1743.

Present [as above, except Samuel Solly Esq. in place of John Downing, Esq.]

His Excelency laid before the Board a letter he rec'd from the Lords Justices dated Whitehall August the 15th 1743 signed Andrew Stone directing the Governour to put this Government into the best posture of defence possible & to be constantly upon the guard against any surprise from any Quarter whatever. And then asked the advice of the Council what method he should pursue in order to answer the end afores^{d} particularly in regard to the supplying the Fort at the entrance of the Harbour with Powder and then asked weither the Council would advise him to grant his warr^{t} on the Treasury for as much money as will purchase twelve barrels of powder—To which the Council did unanimously advise & consent.

At a Council holden at Portsm° agreeable to his Excelency's Sumons on Tuesday, Jany 17th 1743— .

Present—His Excelency the Governour

George Jaffrey Jotham Odiorne Henry Sherburne Theod^e Atkinson	Esqs.	Richd Wibird Saml. Smith Saml Solly	Esqs.

His Excelency laid before the Board the Act of this Province of the 4th of George Entitled an Act about Powder money, which being read his Excelency asked the advice of the Council weither he should direct the Receiver General of Powder to take one shilling Proclamation money pr Ton on such ships & vessels as are mentioned in the s^d act—to which his Maj^tys Council did advise & Consent.

At a Council holden at Portsmouth by his Excelency's Sumons on Saturday April 7th 1744.

[P. 12.] Present his Excelency the Governour

Jotham Odiorne Henry Sherburne Joseph Sherburne Ellis Huske	Esqs.	Theod^r Atkinson Richd Wibird Saml Solley	Esqs.

His Excelency laid before the Board an Exemplification of his Maj^tys Warr^t appointing him Surveyor General of his Maj^tys Woods in North America which Exemplification was attested at the Treasury Chamber, White Hall, the 21st of Feby 1743 & signed Peter Lehease.

His Excelency alsoe ordered the Secretary to read at the Board an exemplify'd Copy of the report of the Comittee of his Maj^tys most Honble Privy Council of the 26th of March 1728 relating to his Maj^tys Woods &c. and alsoe the order of the Commissioners of the Treasury of the 12th of December 1743 upon s^d Report which was alsoe attested by— Peter Lehease.

After which his Excelency took the oaths appointed to be taken instead of the oaths of allegiance & supremacy & subscribed the s^d oaths & Declaration,—and alsoe took an oath duly and faithfully to execute the s^d office & trust.

At a Council held at Portsm° agreeable to his Excelency's Sumons on Saturday April 21, 1744.

Present—His Excelency B. Wentworth, Esq. Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne	Esqs.	Ellis Huske Richd Wibird Theod^e Atkinson	Esqs.

His Excelency acquainted the Council that he this day had received an information from the Select [men] of Portsmouth that a vessel whereof James Stilson was master from Sattertuga had bro't into this Port the Small Pox and then desired their advice in the affair.

Upon which the Council did advise that the s^d vessel should perform a Quarantine of twenty Days near the fishing Islands or until further orders of the Governour & Council, and that the Master sailores & passengers that belonged to or came in the s^d vessell do regularly perform on board the same the s^d Quarantine as they will answer the contrary at their Perrill.

[p. 13.] At a Council held at Portsm° by his Excelencys Sumons on Monday April the 30th 1744.

Present [as before—except Jotham Odiorne Esq.]

His Excelency laid before the Council a letter from Coll. Pepperrell of yesterday's date relateing to the vessel performing Quarantine as pr order of the 21st inst. and then ask'd the advice of his Maj^tys Council weither the s^d vessel should be admitted to an Entry. The Council desired that his Excelency would not insist upon their giveing their advice till they had further enquired into the circumstances of the s^d vessel, &c. & desired his Excelency would adjourn the Council to a short day for that end.

Upon which his Excelency was pleased to adjourn the Council to Wednesday next the 2^d day of May then to meet at Portsm° at 3 o'clock in the afternoon.

At a Council holden at Portsm° according to adjournment on Wednesday, May 2^d 1744

Present—His Excelency the Governour

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theod^r Atkinson Richd Wibird Saml Solly	Esqs.

His Excelency again asked the advice of Council relateing to the vessel performing Quarantine agreeable to the order of the

21st of April last, and as mentioned in the minutes of the 30th of sd month, to which the Council did advise That all goods capable of retaining the Infection such as cotton wool &c. shall immediately be buryed under ground and remain there twenty days and that the Quarantine be taken off from sd vessell as soon as all such goods are so buried & oath made thereof before the Honble Henry Sherburne Esq. who is hereby desired to administer the same.

[P. 14.] At a Council holden at Portsmo according to his Excelency's Sumons on Wednesday May the 16th 1744.

Present [as above, and also John Downing Esq.]

His Excelency proposed to the Board that inasmuch as a Committee was appointed by the General Assembly to visit the frontiers of this Province about Connecticut river and inasmuch as he had advice that war was declared between England and France,—and as the sd Committees proceeding on that affair may be attended with danger & ill consequences, His Excelency asked the advice of the Council weither his sending an Express to Coll. Josiah Willard one of the sd Comittee who lives near those Partes to make a remonstrance as soon as possible of the Scitution & circumstances of affairs in that Parte of the Province might not answer the End proposed by the General Assembly—who gave their advice yt the sending an Express to the said Coll. Willard to make such a report might answer the aforesd End.

At a Council holden at Portsmouth by his Excelencys Sumons on the 7th day of June 1744

Present

His Excelency the Governor

George Jaffrey	Esqs.	Ellis Huske	Esqs.
Jotham Odiorne		Theodr Atkinson	
Henry Sherburne		John Downing	

His Excelency the Governour laid before the Board a letter from Mr. Secretary Willard in the name & by order of the Great & General Court of the Massa Bay dated the 5th Instant acquainting his Excelency that the Governour of New York had appointed the twelfth Inst. to meet the six Nations of Indians at Albany and that Government had appointed Comissioners to be at sd meeting & desired of his Excelency that Comissioners might alsoe be appointed by this Governmt to agree upon such measures as might be tho't equal and necessary for the mutual safety and defence of the several Governments in New England &c.

[P. 15.] His Excelency then asked the advice of the Council

thereon—who came to the following resolve, viz. That George Jaffrey Esq. & Ellis Huske Esq be appointed to draw an answer to the said letter and if approved of by his Excelency to be signed by the Secretary & forwarded.

At a Council holden at Portsm° by his Excelencys Sumons on Tuesday the 13th of September 1744.

Present—His Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne	Esqs.	Theodore Atkinson Richd Wibird	Esqs

His Excelency laid before the Board a letter from his Excelency G— Clinton Esq. Governour of New York dated the 3d Instant inclosing sundry Depositions taken before the Governour & Council at New York acquainting that sundry French men of War were at sea & near Louisbourg—and alsoe giving an account of three nations of Indians having engaged to take up the Hatchet with the Governour of Canada agst the enemies of the French king—& hereupon his Excelency asked the advice of Council what measures they would advise him to take at this juncture.

To which the Council did advise that his Excelency put the Province in the best Posture of Defence that its present circumstances will admit of his Excelency being well acquainted with what is necessary & possible at this time to be done—that they tho't it needless to recomend any thing in particular except an augmentation of fifteen men at Fort William & Mary which they think necessary & accordingly offer their advice to that his Excelency post the sd men there & give his orders on the Treasury for their subsistance.

At a Council holden at Portsm° by his Excelency's Sumons October the 1 1744 being Monday.

Present

The Honble George Jaffrey Jotham Odiorne Henry Sherburne	Esqs.	Joseph Sherburne Theod Atkinson Saml Solly	Esqs.

A Petition of Andrew Gillman, Nicho. Dudley & Humphrey [p. 16.] Willson in behalf of themselves & sundry other Inhabitants of Brentwood dated the 26th of May 1744 praying for a charter of Incorporation &c. was read at the Board & the purport thereof considered. The Question was put weither the Council would advise his Excelency to grant the sd Petitioners a Charter of Incorporation and it passed in the affirmative

At a Council holden at Portsm° according to his Excelency's Sumons on the 22d day of Feby 1744—

Present—His Excelency the Governour

George Jeffrey	Esqs.	Ellis Huske	Esqs.
Jotham Odiorne		Theodr Atkinson	
Henry Sherburne		Saml Solly	

The Comittee appointed by the General Assembly for procuring provisions & other necessarys for the Expedition agst Lewisbourg made a representation to the Board that they had recd a letter from Mr. Wibird one of the sd Comittee at Boston acquainting them that he could no[t] purchase Pork at Boston—the Government of the Massa havg engaged & impressed all in those Partes they further informed the Council that they imagined there was provision enough in this Province to sell but that the persons who had it would not sell Pork under 18 d per pound—upon which the Council came to the following resolution unanimously to advise his Excelency to issue Warrants for impressing such & so much Pork as shall be necessary for the present Emergency from those Persons that have any to spare more than what is necessary for the use of their respective families.

[p. 21 (1).] At a Council holden at Portsmouth by his Excelencys order May 2d 1745

Present—His Excelency the Governour

George Jaffrey	Esqs.	Ellis Huske	Esqs.
Jotham Odiorne		Theo. Atkinson	
Henry Sherburne		John Downing	

Upon reading the Petition of Joseph Bartlett & others inhabitants of Almsbury District praying to be encorporated into a Parish by metes & bounds set forth in the said Petition resolv'd That Coll. Joshua Wingate Majr Ebenezer Stevens & Mr. Meshech Weare be appointed a Comittee to goe and view the lands & settlements mentioned in the sd Petition & to take with them the Petition and vote of the Town of South Hampton alsoe to notify the Select men of South Hampton seven days before the time of their meeting on the spot & any other Towns or Parishes adjoyning that they may if they see cause attend them in their survey—This to be done at the charge of the Petitioners And by the last day of this Instant May to make returne into the Secretary's office of what you shall (after the survey & enquiry) think convenient [p. 22.] to be done for the benefit & convenience of the Petitioners & other Inhabitants thereabouts.

(1) This and the following entry are, by error, on pages 21 and 22 of the copy. They should have been on pages 16 and 17.—Ed.

At a Council holden at Portsmouth by his Excelencys Sumons on Thursday May the 9th 1745.

Present—His Excelency the Governour

George Jaffrey	Esqs.	Ellis Huske	Esqs.
Jotham Odiorne		Th. Atkinson	
Henry Sherburne		John Downing	

His Excelency acquainted his Majtys Council that he had in faithfulness to his Majesty and out of a tender regard to the Inhabitants of this Province, that a very valuable parte of it might not be given away—Dissolved the late Assembly & that he tho't his Majtys service as well as the safety of the Province required the calling a new assembly as soon as might be and thereupon asked the advice of the Council.

To which they did unanimously consent and advise.

At a Council holden at Portsmouth according to his Excelencys Sumons on the 22d day of May 1745

Present—His Excelency the Governour

The Honble George Jaffrey	Esqs.	Ellis Huske	Esqs.
Jotham Odiorne		Theodr Atkinson	
Henry Sherburne		Richd Wibird	

[p. 17.] His Excelency laid before the Board a letter from Governour Shirley dated the 18th Inst inclosing a copy of a letter from Lieut. General Pepperrell dated at the Camp before Lewisbourg giveing an acct of the success & scituation of the forces there—which were read at the Board & his Excelency asked the Council weither they tho't of any measures to be further taken for the service of the said Expedition—To which the Council answered that they would cheerfully give their advice & assistance to the utmost of their Power but at present could not think of any thing that would forward the Expedition

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At a Council holden at Portsmouth according to his Excelencys Sumons on Tuesday the 4th of June 1745

Present—His Excelency the Governour

The Honble George Jaffrey	Esqs.	Theodr Atkinson	Esqs.
Henry Sherburne		Richd Wibird	

His Excelency laid before the Board some Paragraphs of a letter from Comodore Warren from on board the Superb off Lewisbourg harbour dated the 22d of May last desireing a number of sailors might be impress'd or inlisted to man a sixty four gun ship lately taken by the sd Comodore from the French—Upon

which his Excelency desired the advice of the Council weither they would advise to the issuing a Proclamation for inlisting a number of men to be sent to Lewisbourg to serve under the Comodore according to his letters abovementioned—Upon which a Proclamation was prepared and read at the Board & the Council then present did advise & consent to the same being made publick

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At a Council holden at Portsm° by his Excelency's Sumons on Monday June the 17th 1745.

Present—His Excelency the Governour

The Honble George Jaffrey	Esqs.	Theod^r Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Solly	

His Excelency laid before the Council a letter from Governour Shirley dated the 15th Inst relateing to the affairs of the army before Lewisbourg—And then his Excelency asked the advice of the Council weither he should issue a Proclamation agreeable to [p. 18.] a vote of the General Assembly for the encouragement of Voluntiers to be sent to Lewisbourg as a re-inforcement to our Regiment there, to which the Council did unanimously advise & consent.

At a Council holden at Portsm° according to his Excelencys Sumons on Tuesday July 9th 1745.

Present—His Excelency the Governour

Jotham Odiorne	Esqs.	Richd Wibird	Esqs.
Henry Sherburne		Saml Smith	
Theodore Atkinson		John Downing	

His Excelency laid before the Board the necessity as he apprehended of purchasing all the Powder to be found in the Province & sending it imediately to Lewisbourg leaving no more than what was absolutely necessary for the defence & security of this place—and hereupon asked the advice of the Council what method they would advise him to in procuring what may now be in the Province.

And it appearing to the Board that the s^d City of Lewisbourg may possibly be in great want of Powder in case of any attack being made by the enemy

Resolved unanimously

That his Excelency be desired to recomend it to the several Comittees appointed by the General Assembly for procureing amunition & Provisions for the Expedition ag^st Lewisbourg that

they imediately enquire after & procure such Quantities (if to be got) as may be tho't necessary to answer this occasion.

His Excelency laid alsoe before the Board the circumstances of the Powder now in the Magazine was under & the Quantity there and then asked the advice of the Council weither he should send any of the s^d^ Powder to Lewisbourg—to which the Council did advise that his Excelency should send fifty barrels.

His Excelency laid before the Board a paragraph of a letter from Comodore Warren informing him that he wanted two setts of Masts one for the Vigilant a 64 gun ship and a set for a forty gun ship—and then asked the advice of the Council weither he [P. 19.] should grant a Warr^t^ to impress the s^d^ Masts—To which the Council did advise in case they could not be procured otherways

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At a Council holden at Portsm^o^ according to his Excelencys Sumons on the 8th day of August 1745

Present—His Excelency the Governour

The Honble George Jaffrey, Jotham Odiorne } Esqs. Theod. Atkinson, R. Wibird } Esqs.

His Excelency laid before the Board a letter from Jn. Corbet to the several Governours of his Majesty's Plantations of the 19th of August, 1743 with the Attorney & Sollicitors oppinion relateing to the American Act about Seamen &c. & then his Excelency acquainted the Board that Capt Ffarish Comander of his Maj^tys^ ship Bien Ame desired his Warrant for impressing a number of men to serve his Majesty on board s^d^ ship and then desired the advice of the Council weither he should grant his Warrant accordingly—to which the Council gave the following advice, viz. That his Excelency grant his Warr^t^ for impressing such a number as his Excelency tho't fit for maning s^d^ ship when loaded & near sailing.

[P. 19.] At a Council holden at Portsm^o^ according to his Excelencys sumons on Fryday August the 23^d^ 1745.

Present

His Excelency the Governour

The Honble George Jaffrey, Jotham Odiorne, Henry Sherburne } Esqs. Theo. Atkinson, Richd Wibird, Saml Solly } Esqs.

His Excelency laid before the Board a letter from Lt Governour Phipps dated the 19th of August Inst. incloseing three letters, viz one from Gov. Shirley to the Sachems & other Indians of the Penobscot & Noridgwock tribes dated July the 12th 1745 & one

other to Capt. Jabez Bradbury dated the 22d July 1745 & one other from sd Bradbury to Govr Shirley dated July 29th 1745 all which are in relation to the Indian affairs there.

The above mentioned letters being read the Governour asked the advise of the Council what answer he should give to Leut Govr Phips his letters — to which the Council did advise that his [p. 20.] Excelency should write Govr Phips that in all reasonable measures taken against the Indians wherein this Government should be previously consulted & advised with, they will always bear a suitable parte & Proportion.

At a Council holden at Portsmo August 26th 1745, by Sumons from his Excelency the Governour.

Present — His Excelency the Governour

The Honbl George Jaffrey, Jotham Odiorne, Henry Sherburn } Esqs. Theodore Atkinson, Richd Wibird } Esqs

His Excelency laid before the Board a letter from Lieut Governour Phips dated Boston August 26 1745 informing his Excelency of his having declared War against the Eastern & Canada Indians & alsoe incloseing his Declaration of War &c. His Excelency then asked the advice of the Council weither he should publish a Declaration of war agst sundry Tribes of Indians as mentioned in a Declaration then exhibited — which being read the Council did unanimously advise the publication thereof.

At a Council holden at Portsmo by his Excelencys sumons on Thursday December 26th 1745.

Present — His Excelency the Governour

The Honble George Jaffrey, Jotham Odiorne } Esqs. Theod. Atkinson, Saml Solly } Esqs.

Capt. John Clark, Messrs Thos. Slayton & John Brown mariners being sumoned were examined upon oath relating to the cargoe on board the Sloop Cape a Flag of truce from Cape Franceway Capt. Brond master & signed the same.

The Petition of sundry persons of Almsbury District with the report of the Comittee thereon relateing to the setting off of a Parish being read at the request of the Petitioners.

Ordered that the Town of South Hampton by the Selectmen be served with the copy of the sd Report and be notifyed to appear the 15th of Jany next to shew cause if any they have why the said persons may not be incorporated according to the sd report.

[P. 21.] At a Council holden according to his Excelencys Summons on Wednesday Jany 15th 1745 —

Present—his Excelency the Governour

The Honble George Jaffery, Jotham Odiorne, Theod. Atkinson } Esqs. Richd Wibird, Saml Solley } Esqs.

Agreeable to the order of Council of the 26th of December last the Petitioners of Almsbury District and the selectmen of South Hampton appeared & both Parties were heard upon the Petition & return of the Comittee appointed to view & make report &c. and after both parties were heard thereon his Excelency asked the advice of the Council weither he should grant a Charter of Incorporation agreeable to the s^{d} report.

And the Council takeing the same under consideration came to the following Resolve—viz. They do not think it advisable at present in as much as such a grant would be an Infraction upon & much incommode the Town of South Hampton.

[P. 22.] At a Council holden at Portsmouth by his Excellencys order on Tuesday, Feby 18th 1745 —.

Present his Excelency the Governour.

George Jaffrey, Jotham Odiorne, Henry Sherburne } Esqs. Theod. Atkinson, Saml Smith, Saml Solley } Esqs.

His Excelency filed in the Council office his Majesties Mandamus dated the 17 of April 1745 signifying his royal Will & Pleasure that Sampson Sheaffe Esqr. should be immediately admitted and sworne to be one of his Maj^{tys} Council for this Province, & then desired Messrs Atkinson & Smith to administer to the s^{d} Sheafe the oaths appointed to be taken instead of the oaths of allegiance & supremacy & alsoe the oath of a Councillor which was accordingly done & the s^{d} Sheaffe took his place at the Board accordingly.

At a Council holden at Portsm^{o} by his Excelencys summons on Thursday March 13th 1745 —

Present—his Excellency the Governour

[P. 23.] George Jaffrey, Henry Sherburne } Esqs Theod. Atkinson, John Downing, Saml Solley.

His Excelency asked the advice of the Council weither he should Issue his Proclamation for a general Fast thro' out this

Province to be observed on Fryday the 28th of this Inst. March on acct of the Seed time The Rebellion in Scotland & success agst the Rebels &c. to which they did unanimously consent & advise.

At a Council holden at Portsmo by his Excelencys Sumons on Monday April 21 1746.

Present His Excelency the Governour.

George Jaffrey	Esqs.	Theod. Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Solly	

His Excelency read at the Board a letter from Coll. Moore at Cape Breton relating to the sending a vessel to bring home such of the forces as are there in the Pay of this Province & then asked the advice of the Council weither he should take up the Sloop Abigail lately arrived from thence & send her down upon the sd service. Upon which the Council gave their advice that it was highly requisite that the sd vessell should imediately goe down and that his Excelency be desired to direct the Comittee of War to get her ready with all convenient dispatch.

His Excelency acquainted the Council that he last night recd advice that a Party of Indians had made a descent upon a family near *Casco Bay* (1) & had kill'd four persons & captivated one & desired the Council's advice what method he should take to secure the inland frontiers—to which they did advise to the inlisting or impressing 20 men ten to be placed at Canterbury & ten at Rochester.

At a Council holden at Portsmo by his Excelencys Sumons on Thursday April 24 1746.

Present his Excelency the Governour

George Jaffrey	Esqs	Theodore Atkinson	Esqs
[P. 24.] Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Solly	

His Excelency acquainted the Council that he had recd an Express giveing an acct of the Indians falling upon two families at a place called Hopkinton (2) & has captivated eight persons & then asked the advice of the Council what step he should take.

(1) In the margin is a note by the late John Farmer, Esq.:—"Probably a mistake."—Ed.

(2) About this time a party of Indians came down to New Hopkinton, [seven miles west of Concord] where they entered a garrisoned house and found the people asleep, the door having been left open by one who had risen early and gone out to hunt. Eight persons were thus taken. The names of the captured were Samuel Burbank, his sons Caleb and Jonathan, David Woodwell, his wife and sons Benjamin and Thomas, and daughter Mary. Jonathan Burbank, after his redemption, became an officer, and was killed by the Indians in the French war, being supposed by them to have been Major Rogers, their avowed

Upon which the Council unanimously gave it as their opinion that his Excelency should cause to be inlisted or impressed 50 men to march imediately to Pemidgwasset & the Pond &c. for fourteen days.

At a Council holden at Portsm° by his Excelencys sumons on Thursday May 29th 1746

Present—his Excellency the Governour

George Jaffrey	Esqs.	Theodore Atkinson	Esqs
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Smith	

His Excelency proposed to the Council the following Query—If it should be his Majtys Pleasure to order eight or ten thousand of his regular troops with a sufficient naval force to convoy the sd troops to be imployed for the reduction of Quebec and the French settlements on the river St. Lawrence with Montreal and the garrisons on the Great Lake, how many Troops do you advise this Province may be capable of furnishing to be imployed in the service, both men & officers to be in the Kings Pay & to be discharged when the service is ended.

To which the Council gave their oppinion that considering the present circumstances of the Governmt five hundred men is as many as can be raised by this Government for such an Expedition.

At a Council holden at Portsm° by his Excellencys Sumons on Tuesday September the 23d 1746

[Present]

George Jaffrey	Esqs	Jotham Odiorne	Esqs
Henry Sherburne		Theod. Atkinson	

His Excelency comunicated to the Council several evidences taken relating to a French fleet being now on the coast and asked [p. 25.] their advice what steps they tho't proper for him to take: Upon which the Council advised the following particulars, viz.

That the men inlisted for the Canada Expedition be forthwith posted at New Castle—That Mr. Commissary Penhallow receive from the Comitee of War for sd Expedition Provisions for the sd men & deliver them an allowance according to the Establishment—That his Excelency be desired to open a ditch in some convenient place cross fort point if practicable.

enemy. Mary Woodwell, after a detention of six months among the French at Montreal, returned to Albany, and soon after to Hopkinton, Mass., her native place. She was twice married, and died a widow among the Shakers at Canterbury, N. H., October, 1829, in the one hundredth year of her age. Samuel Burbank and the wife of David Woodwell died in captivity. Woodwell and three of the children returned in a flag of truce to Boston. [*See Farm. Belk., p.* 289.]—Ed.

A French Fleet on the Coast.

[Copied from MS. Corr. in Secretary's office, Vol. I, pp. 279–285.]

Boston, Septem^r 13, 1746.

John Champion declares that he was Pilot on board the Sloop Molly whereof Hugh Thornton is master coming from Trepasse in Newfoundland bound for Piscataqua & that on the Second of this Instant September on their Passage about half an Hour after five o clock in the afternoon about ten Leagues to the Southward & ten Leagues to the westward of the Isle Sable by his judgment & reckoning, he saw Thirty one sail of vessels under sail standing to the Northward, the wind then being at last North east having their Starboard tacks on board & many of the vessels he took to be large Ships, the two sternmost of them he is certain were ships & was between four & five miles distance of them according to his best Judgment.

John Champion.

Suffolk, SS. Boston Septem^b 13, 1776, Mr. John Champion made oath to the above Declaration — signed by him before me

Jacob Wendell, Just. Peace

Copy Examined by J. Willard, Sec^y.

William Stanwood of Glocester mariner & master of the Schooner Molly of Glocester, declareth & saith that upon Tuesday the 9th of Septr at about 9 oclock at night, being upon the Western bank of the Isle of Sables about 20 Leagues distant from the said Isle Westerly & lying to under his foresail he came athwart a large Ship wch he supposes to be a man of War of about 70 guns, & before he discovered her he almost came athwart her yards, whereupon the Declarant called to the men on Board the said Ship to bear away & told them if they did not they would run him down, & then they bore away a little, some of the men on Board said ship called to him in broken English, saying, Strike you Dog, at which time he heard the People on Board Speak to one another in a Language which he did not understand & he was sure it was not English, he being near enough to Distinguish, whereupon the Declarant imediately Sprung his Luff & then they fired upon him (as he supposed from a swivel gun) But making all his sail he got clear of said Ship, after which he saw a great number of Topsail vessels with Lights all standing to the northward under an easy sail, which Lights he endeavoured to count & judges the number of them to be about Twenty five, one ship he saw with a light in her main-top — and further saith, that about a Quarter of an Hour after he saw the first Ship he was in Company with a Schooner belonging to Glocester who lay upon the same course with him & being about three quarters of a mile to Seaward — the Declarant supposes she fell in to the midst of the Fleet & was taken by them, he having not seen her since.

William Stanwood.

Sworne before his Excellency the Governour & Council the fifteenth of September 1746.

Attest, J Willard, Sec^y.

Copy Examin'd by J. Willard Sec^y.

Capt *Lawrence Payne* arrived here this Evening in a Flag of Truce twenty days passage Deposeth that he was at Cape Francois one of the ports at Hispaniola, after he was ready to sail he was detained six weeks occasioned by the expectation of a Fleet of Ships from France wch arrived there some time

before he sail'd—after their arrival four French men of War who convoyed them sail'd for the Northward four days before his departure to join the Brest Fleet & others from Rochford wch sail'd from those ports the 20th of June last—the aforesaid Fleet consisted of Eighteen sail of men of Warr & forty large Transport Ships with a large Number of Land forces & warlike Stores Design'd for Cape Breton & if the season of the year proves too late then their Design is for Boston.

Also before he sail'd about twenty Days a Ship arrived with a Packet or Express from the Fleet to the Governour of that Place to give Notice of their Design.

Lawrence Payn.

Newport, September 19th 1746

P. S. The said Fleet being about half way on their passage when the Ship left 'em wch was abt the last of July.

Colony of Rhode Island

Sept. 19th 1746.

Capt Lawrence Payne appear'd before me and made solemn Declaration of the truth aforesaid.

Jos. Whipple, Dep. Govr.

Copy Examined

W. Shirley.

Joshua Haskell of Glocester master of the Schooner Happy Return, declares & says that on Wednesday the 10th of September instant at about 4 o'clock in the afternoon being between Margaret's Bay and Le'Have on the Cape Sable Shoar, I discovered about 30 sail of Topsail Vessels at about 6 or 7 miles Distance from us, and about 10 Leagues to the Westward of Jebucto, standing in with the Land close hal'd by the wind, which was then at about East North East. Two of the ships were the largest that I ever saw. I could not perceive any Côlours on board any of them. The sternmost Ship gave us chace under our Lee for about an hour, but at Sunset we saw her standing to the Fleet again.

And he farther saith that on Tuesday the 16th Instant being then about 45 Leagues to the Eastward of Cape Ann he saw a ship (of about 40 or 50 guns as he judges) with a Flag at her main top-mast Head standing towards Cape Sables, the wind then at about East.

Joshua Haskell.

Suffolk SS.

Boston September 19th 1746, Mr. Joshua Haskell made oath to the Truth of the above Declaration syned by him

Before me

Jacob Wendell Just. Peace.

Copy Examined

W. Shirley.

At a Council holden at Portsmo by his Excelencys Summons on Thursday the 9th of October 1746

Present—His Excelency the Governour

George Jaffrey, Jotham Odiorne } Esqs. Henry Sherburne, Theod. Atkinson } Esqs.

His Excelency proposed to the Council the appointing Thursday the 16th inst. as a day of Publick Ffasting & Prayer thro'out this Governmt on acct of the French Fleet now upon or near our

Coast—the shortness of our harvest of corn &c. agreeable to the request of the House of Representatives—To which the Council did advise & consent.

At a Council holden at Portsm° by his Excelencys Sumons on Thursday October 16th 1746.

Present—His Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne	Esqs.	Theod. Atkinson Sam[l] Solley	Esqs.

[p. 26.] His Excelency laid before the Board a letter from Governour Shirley & Admiral Warren dated the 14th inst. relateing to the sending a reinforcement to the Garrison of Annapolis royal now besieged by the French &c. & then asked the Council weither they would advise him to send any of the Troops raised for the Canada Expedition to the assistance of the s[d] Garrison To which the Council did advise that his Excelency and as many men for that service as can conveniently be accommodated on board the Sloop Warren & Brigantien St. Clair and that provision & other stores be supplyed out of the Funds for the Canada Expedition and that a suitable number of sailors be inlisted for maning s[d] vessels.

At a Council holden at Portsm° by his Excelencys Sumons on ffriday March the 6th 1746–7.

Present—His Excelency the Governour

George Jaffrey Ellis Huske	Esqs.	Theod. Atkinson Rich[d] Wibird Sam[l] Smith	Esqs.

His Excelency laid before the Board a letter from his Excelency Governour Shirley dated Boston the 4th inst. giving an acct of the disaster that befel the Mass[a] forces sent to Nova Scotia for driveing the enemy from thence &c. and desireing his Excelency would joyn in sending a strong reinforcement to Annapolis for the afores[d] end.

And alsoe an extract of a letter from Governour Mascareen dated Annapolis royal Feb[y] 8th 1746–7 to Governour Shirley in relation to the s[d] affair.

And alsoe an extract of a letter from Lt. Coll. Goram from Annapolis [p. 27.] of the s[d] 8th ffeb[y] to Governour Shirley on the same head.

And alsoe the advice of the Massachusetts Council to Governour Shirley at a meeting held at Boston the 27th of Feb[y] last advising him to send the above state of affairs to the Governours of the neighboring Governments & to desire in the most pressing

manner imediately to prepare and transport a number of troops to Nova Scotia with armed vessells &c.

Which being read his Excelency desired the advice of the Council in the Premises The Council takeing the same under consideration—and in as much as a reasonable Quota of Troops for this Government may be imbarked and transported to Nova Scotia sooner than the Quotas from the other Governments and can be of no service till joyned by them therefore advise that his Excellency sumon the General Assembly as soon as conveniently may be in order to conferr with them in the premises and that in the mean time his Excelency be desired to give the necessary orders for stoping any vessell now in port proper for transporting s^d^ troops till this affair be fully concluded upon.

At a Council holden at Portsm^o^ by his Excelencys Sumons on Monday June 1, 1747.

Present—his Excelency the Governour

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theod Atkinson Richd Wibird Saml Smith John Downing Saml Solley	Esqs.

[p. 28.] His Excelency acquainted the Council that last night he rec^d^ intelligence from the selectmen & Justices of the town of Portsm^o^ that a person was sick with the small pox in the house of Mrs. Peacock of this town and that the s^d^ sick person had been moved by the selectmens order to a house on Partridge Island and that it was further suggested that several persons had visited the sick person in his illness and that there may be danger of the s^d^ persons being thereby infected with the distemper and thereupon desired the Councils advise what they tho't most proper to be done to prevent the spreading of the infection.

Upon which the Council came to the following Resolve viz. Resolved that the Selectmen of the town of Portsmouth as alsoe the selectmen of the several towns & Parishes within this Province be directed imediately to make the strictest inquiry after all persons that may any way be suspected and to be in danger of having taken the s^d^ infection and to remove all such persons to some proper place or places as they may think necessary to prevent the spreading of s^d^ distemper—and further that the s^d^ selectmen be & hereby are authorized to look out take up & impress a suitable place or places for the reception of such persons or families as shall be removed and alsoe for the reception of such persons or families as have taken or are suspected to have taken the s^d^ infection and all officers civil & military in their respective offices are hereby directed to be aiding & assisting the selectmen in the Execution of this Resolve.

At a Council holden at Portsm° by his Excelency's on Sumons on Sunday July 12th 1747.

Present — His Excelency the Governour

[p. 29.] George Jaffrey, Jotham Odiorne } Esqs. Henry Sherburne, Theod. Atkinson } Esqs.

His Excelency communicated to the Board an Information he had recd of a schooner below in the Harbour that came from the West Indies that had the small Pox on board and herenpon asked the Councils advise in the premises — to which they did advise that the sd vessell together with the master, mariners & passengers that came in her perform a Quarantine of ten days or till further order — and that they nor any one of them presume to come on shore or land any the most minute thing from on board the sd vessell during the sd term nor suffer any person to goe on board or along side without particular orders upon the severest penalties of the Laws in such cases made and provided—and that the High Sheriffe be directed to put two men on board sd vessel who is to have an oath administered to them by a Justice of the Peace to see this order punctually executed.

At a Council holden at Portsm° on Tuesday July 26, 1747 by his Excelencys Sumons

Present

George Jaffrey, Jotham Odiorne, Henry Sherburne } Esqs. Theod. Atkinson, Richd Wibird, Saml Smith } Esqs.

The Secretary by his Excelencys order laid before the Board a draft of a letter he proposed to send in the Flag of truce now bound to Quebeck from the several Governments to exchange prisoners &c. to ask the approbation or alteration of his Majesties Council of the same which being read at the board it was ordered that the sd draft be & hereby is approved of & that his Excelency be desired to forward the same unless he should receive some further advice from the other Governments concerned that may require an alteration.

Flag of Truce.

[Copied from MS. Corr. Vol. II, in Secys office, p. 23.]

Boston June 20th 1747.

Sir —

I am directed by the General Court of this Province to acquaint your Excellency, that Governour Shirley has determined (as the request of both Houses) to send a Flag of Truce to Canada, with Commissioners to proceed therein to Quebec in order to procure the Redemption of all such English Prisoners belonging to this Government & the Governments of New Hamp-

shire, Connecticut and Rhode Island as may be within that Government; and to use all possible Care to recover such of the said English Captives as may be in the hands of the Indians; and that all the French Prisoners that may be obtained within these Governments be sent in the Flag of Truce to Canada; and I am further to inform your Excellency that the Resolution of this Government in the said affair is taken in confidence that the Governments of New Hampshire, Connecticut & Rhode Island will join in the expence that will arise by the sending the said Flag of Truce, in proportion to the number of Prisoners belonging to each Government that may be redeemed;—and it is also desired that your Excellency would give orders that whatever French Prisoners are within your Province, be forthwith got ready to be sent hither, in order to their being transported to Canada in the said Flag of Truce. Your Excellency will be pleased to let this Governmt know your Determination in this affair as soon as you can with convenience. I am, Sir,

Your Excellencys most obedient
& most . . . . . .
(signed it is presumed) Josiah Willard.

[Copied from MS. Corr. Vol. II, in Secys office, p. 17.]

Boston, July 6th 1747.

Sir—On the 22d of the last month I wrote to your Excellency, by order of the General Court of this Province, referring to a Flag of Truce Governour Shirley is sending to Canada: the only thing I have further to inform your Excellency of, on that Head, is that it is expected that the Flag of Truce will sail from hence about the middle of next week, and to desire, that if there be any French Prisoners in your Government, which your Excellency proposes to send to Canada by this Flag of Truce, that you would please to send them to Boston so that they may be ready to embark by the time appointed.

I am with great respect, Sir,
Your Excellencys most
humble & most obedient servant

Josiah Willard.

[p. 30.] At a Council holden at Portsmo by his Excelencys Sumons on ffryday July 31, 1747

Present—His Excelency the Governour

George Jaffrey, Jotham Odiorne, Henry Sherburne } Esqs. Theod. Atkinson, Richd Wibird } Esqs.

His Excelency laid before the Board a letter he recd from Govr Shirley dated Boston July 27th inst. relateing to the forming an Expedition against Crown Point &c. & setting forth the danger there was of the six nations of Indians going over to the French intrest without some such expedition and asked the Council what answer they would advise him to make to the sd letter—

To which they did advise that his Excellency write to Governour Shirley that it was their oppinion the Assembly of this Province would do every reasonable thing when they were made acquainted with the scheme proposed & they were to set in a few days.

Letter from Govr Shirley relating to Danger from the French & Indians.

[Copied from MS. Corr. in Sec^ys office, Vol. II, pp. 25–26.]

Boston, June 29th 1747.

Sir—

This will inform your Excelency that this Government taking into consideration the great Danger which all his Majestys Colonies in North America are in (as well as their own particular Danger) of being in time destroyed by the French & Indians under their influence without a firm union between themselves, for their mutual Defence & for weakening & destroying the Power of the Enemy & more especially for driving the French from the Borders of the Province of New York; and this Province have appointed Commissioners to meet in a Congress to be held at New York on the second day of September next, with such Commissioners as may be appointed by all his Majestys Governments from New Hampshire to Virginia inclusively; then & there to treat & agree upon measures for encouraging the Indians of the six nations vigorously to prosecute their Incursions on the Enemy, as also to agree upon the method & Proportion of raising men & money for carrying on the War both offensively & defensively, and to project & settle such Enterprises & Plans of operation as the Common Interest shall require.

Your Excellency will, I doubt not, duely consider the great Importance of this matter, & represent it in the strongest Light to your Assembly, that they may see not only how deeply his Majestys Interest in general is concerned, but that their own particular safety will be soon much affected by the growing Power of the French, and more especially the Hazard there is that they will bring the six Nations into their Interest, in case they are not forthwith most vigorously & effectually supported by the English; without which it will be but a very little while before the southern as well as the Northern Colonies will be Exposed to their Fury, And therefore I would earnestly recommend it to the several Governments separately to make Provision without delay for the encouragement of the six nations, till the Congress can be held; this Government having already advanced many large sums of money & still continuing to do more for this service.

Your Excellency will be pleased to give me seasonable advice of the Resolution of your Government on this most important affair.

I am, Sir
Your Excellency's most
obedient & most humble servant
W. Shirley.

P. S. Col. Stoddard is now going home; But if your Excellency will send the 1000 allowed by your Assembly towards encouraging the Indians of the six Nations to Boston, I will direct the person whom you intrust it with to invest it in proper goods and presents in the same manner as this Gov^ts allowance has been, and to forward 'em to Col. Johnson and Mr. Lidius, which would be very opportune at this time. We have sent a great quantity of goods within these few days.

Letter from Gov. Shirley relating to an Expedition against Crown Point.

[Copied from MS. Corr. in Sec^ys office, Vol. II, p. 27.[

Boston, July 27, 1747.

Sir—As it appears to me by the latest advices I have received from Albany, as well as from what is contained in the New York Prints that there is the utmost Danger of a total Defection of all the six Nations from us, to the

French interest, unless we do speedily & vigourously join with them in prosecuting an Expedition against the French, for dislodging them from Crown Point, as well as from the Fort they have built much nearer to the English settlements;—I have just issued a Proclamation for summoning every member of the General Court of this Province to attend the consultation that will be had on that affair, upon the 12th of August next: and as the least loss of Time will greatly hazzard the success of the Enterprise if we should engage in it, I must intreat your Excellency to have the Assembly of your Province sitting at or before that Time & lay before them the Danger there is of all his Majestys Northern Colonies being soon depopulated & swallowed up by this Enemy, unless we now join with the Six Nations without Delay, in pursuing the War against the Enemy. And I must pray your Excellency to give me early advices of the measures your Government shall take in this affair.

I am with the greatest regard
Sir, Your Excellencys most
obedient, Humble sevt

Wm. Shirley.

P. S. I was favour'd wth your Excellency's by the Post apprizing me of your sending the four French prisoners to go in the Flag of Truce, and am much obliged for 'em. I will write at large by next post.

His Excellency Benning Wentworth, Esq.

His Excelency then gave the Council an acct of an Express he recd from Pennycook giving an acct of a number of Indians that lately appeared there & were repulsed and drove off after having killed a great number of cattle &c. & then asked weither the Council would advise that his Excelency be desired to cause thirty men to be posted there for one month. (1)

At a Council holden at Portsmo by his Excelency's Summons on Sunday August 3d 1747.

[p. 31.] Present—His Excelency the Governour.

George Jaffrey, Jotham Odiorne, Henry Sherburne } Esqs.
Theodore Atkinson, Richd Wibird } Esqs.

His Excelency after acquainting the Council of the Number of soldiers posted at Rochester Barrington & Nottingham & which he apprehended are scarcely sufficient for the safeguard & defence of the sd Towns, he having had advice of a number of Indians discovered on the Frontiers, asked weither the Council would advise him to make any addition of men to those places and how many—to which the Council did advise that his Excelency cause an addition of thirty to those now posted in sd towns for one month & that they be supplyed with provisions by the Treasurer as those soldiers now in those towns are.

(1) See an account of the above in Bouton's History of Concord, p. 179. Also a full account of the Massacre, at Pennycook (or Rumford), by the Indians, August 11th, 1746, pp. 157-176.

At a Council holden at Portsm° by his Excelencys Sumons on Wednesday Nov. 11th 1747.

Present—His Excelency the Governour

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Odiorne		Saml Smith	
Theodr Atkinson		Sampson Sheafe (1)	

His Excelency informed the Council that he had just received intelligence from the Selectmen of Portsm° that the Small Pox was bro't into the Harbour in a Briganteen from Newfoundland & that several persons were now sick with the sd distemper on board, and desired the advice of Council what they tho't most proper to be done to prevent the spreading of the sd distemper.

[p. 32.] To which the Council gave the following advice, viz. That orders be imediately given that no person be permitted to come on shore from sd vessell nor any person to goe on board without express orders from his Excelency—That the said vessell be moved for safety to some place near to Anthonys Island in this Harbour and that two proper persons be ordered on board the sd vessell to see the orders punctually complyed with—and that the owners may from time to time (as his Excelency shall order) be permitted to supply the sick on board with necessary medicine & attendance nursing & provisions &c. and that the vessell, mariners, goods of all kinds & passengers perform Quarantine in this maner till further order.

At a Council holden at Portsm° according to his Excelencys Sumons on Thursday Novembr 12, 1747.

Present—His Excelency the Governour

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Odiorne		Saml Smith	
Henry Sherburn		Saml Solley	
Theod. Atkinson		Sampson Sheaffe	

His Excelency proposed to the Council that Thursday the 26th of this Instant November should be set apart as a Day of Publick Thanksgiving thro' out this Province in consideration of a plentiful harvest, the safety of trade & frontiers &c. to which the Council did advise & consent

(1) SAMPSON SHEAFE was of New Castle, second son of Sampson Sheafe of Boston, born 1681, graduated at Harvard College, 1702. His business was in the mercantile line, in the fishery and West India trade. November 27th, 1711, he was married by the Rev. John Emerson, of Portsmouth, to Sarah Walton, daughter of Col. Theodore Walton, of New Castle. He was first appointed one of his Majesty's Council, 1740, under Gov. Belcher; and continued in office during the administration of Gov. Benning Wentworth to the year 1761, when he resigned his seat, at the age of 80. He died 1772, aged 91, leaving 8 children, Sampson, b. 1712; Jacob, b. 1715; Henry, Matthew, Samuel, Sarah, Mehitable and Elizabeth. The Sheafe Family is one of the ancient and distinguished families of Portsmouth, N. H. [*See "Brewster's Rambles," Vol. II, pp.* 126-132.]—ED.

At a Council holden at Portsm° by his Excelencys Sumons on Fryday November the 20th 1747.

[P. 33.] Present—His Excelency the Governour.

Jotham Odiorne Henry Sherburne Ellis Huske Theod. Atkinson	Esqs.	Saml Smith John Downing Sampson Sheaffe	Esqs.

Jotham Odiorne, jun. Esqr. owner of the Briganteen now under Quarantine by an order of this Board of the 11th Inst. sets forth that there is an unnecessary expence attending the sd Quarantine for that the Sherriff had posted two men on board; That there was three men sent on board by the owner before & that there is also two men belonging to said vessell that formerly had had the said distemper. That as he conceives there needs no more persons on board than is necessary to look after the vessell, the persons that were infected being all in a condition to walk the deck, &c.

Ordered That his Excelency be desired to give orders for dismissing the sd two men put on board by his Excelencys order to the Sheriff & one of the three put on board by sd Odiorne detaining two only to see the Quarantine duly performed & that some proper person be directed to swear the persons so detained to the faithfull discharge of their trust & to see that the persons discharged be properly clensed and shifted.

At a Council holden at Portsm° by his Excelencys Sumons on Wednesday December 9th 1747.

Present.

Jotham Odiorne Ellis Huske Theod. Atkinson Richd Wibird	Esqs.	Saml Smith John Downing Sampson Sheaffe	Esqs.

[P. 34.] Jotham Odiorne Esq. owner of the Briganteen Eagle now under Quarantine having made applycation to this Board representing that the persons on board sd vessell that were infected with the Small Pox were now all well of the said distemper & had been so some time & praying that the sd Quarantine may be taken off & the sd vessell admitted to an entry.

Ordered that his Excelency the Governour be desired to give orders to the selectmen of the town of Portsmouth or some other suitable person or persons to visit the said vessell and if the affair is as above represented to take off the Quarantine after having all cloathing & bedding or any thing properly cleansed to prevent the spreading of the sd distemper.

'Tis hereby further directed that the owners of the sd vessell

pay to Nath[l] Fellows & George Townsend & each of them 20s per day during their being on board s[d] vessell (by order of the Governour & Council) to see the Quarantine duely performed & 10s to Ambross Clarridge & 10s to Thomas Davis for fetching the guard on shore and this order to be performed before the Quarantine is taken off or the vessell admitted to an entry.

At a Council holden at Portsm[o] according to his Excelencys Sumons on Tuesday March 18th 1747-[8.]

Present — His Excelency the Governour

[P. 35.] George Jaffrey, Theodore Atkinson, Rich[d] Wibird } Esqs. Sam[l] Solley, John Downing, Samspon Sheafe } Esqs.

His Excelency ordered the reading the vote of Assembly of the 11th inst. granting a number of soldiers for guarding the frontiers &c. and as the s[d] vote mentions the s[d] Forces to be upon duty by the 15th of April unless his Excelency tho't proper to send them sooner His Excelency asked the advice of the Council weither they were for his sending to their several posts sooner than the s[d] 15th of April,—to which the Councils advice was that the s[d] men be not sent upon duty till the s[d] 15th April unless his Excelency should hear of some discovery of the enemy's being on or near the frontiers before that time.

His Excelency asked the Council what they would advise him to do in respect to the letter received from Mr. Secretary Willard by order of the Mass[a] General Court & mentioned in his Excelencys Mess[a] to the Assembly of the 8th inst.

The Council takeing the same into consideration in as much as the Lower House have not acted any thing upon the s[d] affair to whom it was more particularly addressed & whose vote in conjunction with this Board we apprehend is necessary & tho' this Board are full in oppinion of the expediency of the s[d] affair & are willing to contribute what in their power to carry it into Execution yet as the matter is now circumstanced cannot advise to the doing any thing on s[d] affair at present.

At a Council holden at Portsm[o] according to his Excelency's Sumons, April 11th 1748.

[P. 36.] Present — His Excelency the Governour

George Jaffrey, Theod. Atkinson } Esqs. Rich[d] Wibird, Sam[l] Solley } Esqs.

His Excelency laid before the Council the situation of a num-

ber of persons inhabiting a place called Sowhegan East (1) within this Province that were without any Township or District & had not the privilege of a Town in choosing officers for regulating their affairs such as raising money for the ministry &c.

Upon which his Excelency with the advice of the Council was pleased to order that the above mentioned persons living at the said place be & hereby are impowered to call meetings of the s^d^ inhabitants at which meeting they may by virtue hereof transact such matters and things as are usually done at town or Parish meetings within this Province,—such as choosing officers raising money for paying such charges of the s^d^ inhabitants as shall be voted by a majority present at any such meetings Provided nevertheless that nothing herein contained shall be construed deemed or taken as a Grant of the Land or quieting any possession, and that this order may be rendered beneficial to the said inhabitants tis further ordred that Capt. John Goffe, jun. call the first meeting by a written notification posted up at a publick place amongst the inhabitants fifteen days before the time of the s^d^ meeting, in which notification the matters to be transacted are to be mentioned, and after that the selectmen may call meetings and are to follow the rules in so doing that are prescribed by law for town & parish meetings This vote to continue and be in force till some further order thereon & no longer.

[P. 37.] At a Council holden at Portsmouth by his Excelencys Sumons May the 1st 1748.

Present—His Excelency the Governour

George Jaffrey Henry Sherburne Ellis Huske	Esqs.	Theod. Atkinson Saml Solley	Esqs.

His Excelency laid before the Council a letter he rec^d^ from Capt. Todd, Capt. Clough &c. &c. dated at Canterbury April 28th 1748 giving an acc^t^ of a body of Indians being discovered a few days before at Contoocook (2) killing many of their cattle &c. and that they were in fear of an attack &c. Upon which he asked the Council weither they would advise him to the sending a reinforcement to each of the s^d^ Garrisons at Contoocook & Canterbury to remain there till the Assembly sat—To which the Council did advise & consent that 10 men should be sent to each of them.

(1) Sowhegan East comprised Bedford and part of the town of Merrimack.—Ed.
(2) Now called Boscawen.—Ed.

At a Council holden at Portsmouth by his Excelency's Sumons on Tuesday May the 10th 1748.

Present — His Excelency the Governour.

George Jaffrey	Esqs.	Richard Wibird	Esqs.
Jotham Odiorne		Saml Smith	
Henry Sherburne		John Downing	
Ellis Huske		Saml Solley	
Theod. Atkinson		Sampson Sheaffe	

His Excelency ordered the Secy to enter in his records the following paragraph of his Commission, viz.

[p. 38.] "And we do likewise hereby give & grant unto you full power & authority by & with the advice of our sd Councill to agree with the inhabitants of our sd Province for such lands tenements & hereditaments as now are or hereafter shall be in our power to dispose of & them to grant to any person or persons for such terms and under such moderate Quitrents services & acknowledgements to be thereupon reserved unto us as you by & with the advice aforesaid shall think fit which sd grants are to pass & be seal'd by our Seal of New Hampshire & being entred upon record by such officer or officers as you shall appoint thereunto shall be good & effectual in law against us our heirs & successors."

His Excelency then read at the Board his Majesty's 38th & 39th Instructions to him relateing to the granting lands &c. within this Province.

And then asked the Council weither they would advise to the granting any Townships agreeable to his Majesty's said Instructions at this time — To which the Council did advise when any suitable number should petition therefor.

His Excelency laid before the Board a Petition of sundry Inhabitants in the town of Dover signed by John Ham & about 105 others praying a grant of a tract of land six miles square bounding easterly on Salmon Falls river & southerly on Rochester head line which being read at the Board and debated the Question was put weither the Council would advise his Excelency to grant the sd Tract agreeable to his Majestys Instructions — and it passed in the affirmative.

[p. 39.] The Honble Theodore Atkinson & Richd Wibird Esqs. protested against the same for the reasons entred on file. (1)

His Excelency alsoe laid one other Petition before the Council signed by Thomas Tibbets & about 130 others inhabitants of Dover aforesd praying for a Township six miles square bounding easterly on a Tract petitioned for above by John Ham & others & southerly on Rochester head line above sd. The petition being read & debated the question was put weither the Council would advise to the granting the Tract of Land agreeable to his Majesty's Instructions, and it passed in the affirmative. The Hon'ble Richd Wibird and Theodore Atkinson Esqr. protested against the same for the reasons entred on file.

(1) The protests on file referred to cannot now be found.—Ed.

At a Council holden by his Excelencys Sumons at Portsm° on Thursday June 23d 1748

Present

Ellis Huske Theodore Atkinson	Esqs.	Richd Wibird Saml Solly	Esqs.

His Excelency laid before the Board a report of a Committee of the General Court of the Massachusetts Bay as the same had been accepted by both Houses of sd Government relateing to the sending Comissioners to be present at an interview with the Six Nations of Indians at Albany the 14th of July next.

After reading the sd report the Question was put weither the Council would advise to the sending Commissioners on the part of this Province to be present at the sd interview.

But in as much as there's no money in the Treasury appropriated [p. 40.] for such services as are mentioned in the sd Report and which seem absolutely necessary to answer the good ends proposed in the sd Report and the General Court not being setting—it passed in the negative.

At a Council holden at Portsm° on Fryday July 29th 1748 by his Exceleney's Sumons

Present

George Jaffrey Henry Sherburne Theod. Atkinson	Esqs.	Richd Wibird Saml Solley	Esqs.

His Excelency sent his Maytys Proclamation declaring a cessation of arms as well by sea as by land agreed upon between his Majesty the most Christian King and the States General of the United Provinces & enjoyning the observance thereof, which his Excelency recd from his Grace the Duke of Bedford, & which his Excelency ordd to be laid before the Council & then proclaim the same at the Council Chamber & then by beat of Drum at the Parade—which was accordingly done.

At a Council holden at Portsmouth on Monday the 3d day of October 1748

Present—His Excelency the Governour

George Jaffrey Henry Sherburne Ellis Huske Theod. Atkinson	Esqs.	Richd Wibird Saml Smith Saml Solley	Esqs.

The Petition of Timothy Levit & four others selectmen of

Keenborough (1) praying the assistance of the Governour & Council [P 41.] relateing to their Parish affairs &c. and after some consideration 'tis ordred that the s^d^ Petition & the consideration thereof lye till an after meeting of the Governour & Council.

His Excelency laid before [the Council] the vote of Assembly of the 2^d^ of June 1747 relating to his drawing Bills for repaying the money borrowed for defraying the charge of the Troops & Vessels &c. sent to the succour of Annapolis Royal & informed the Council that the owner of the Briganteen St Clair one of the vessels employed in that service were dissatisfyed with the hire proposed to be paid for said vessell & desired that they might be paid in sterling bills, &c.

And then his Excelency asked weither the Council would advise him to make any alteration or pay them agreeable to the above said vote.

To which the Council did advise that the said owner should be paid as much as said vessels were rated at & paid for in the Governm^t^ of the Massachusetts for the same service at or about the same time.

At a Council holden at Portsm° by his Excelencys Sumons Octo. the 10th 1748—Monday

Present—His Excelency the Governour

George Jaffrey Henry Sherburne Theod. Atkinson	Esqs.	Richd Wibird Sampson Sheaffe	Esqs.

His Excelency laid before the Board a letter he rec^d^ from his Grace the Duke of Bedford dated the 28th June, 1748 with a Proclamation declaring a cessation of Arms between his Brittanick [P. 42.] Maj^ty^, the King of Spain & the Republick of Geneva, which being first read at the Board was by his Excelencys order proclaimed in form by beat of Drum, &c.

At a Council holden at Portsm° by his Excelencys Sumons on Tuesday December the 6th 1748.

Present—His Excelency the Governour

George Jaffrey Theo. Atkinson Richd Wibird	Esqs.	John Downing Saml Solly Sampson Sheaffe	Esqs.

His Excelency acquainted the Council that he tho't it for his Majestys service that an Assembly should be called as soon as conveniently it might be done & then asked weither the Council

(1) *Keenborough* was a parish laid off from the town of Brentwood.—ED.

would advise thereto—to which the Council unanimously answered that it was their advice to him so to do.

Adjourned by his Excelencys order till to morrow 11 o'clock A. M.

Met again according to adjournm^{t}

Present as yesterday and adjourned sine die.

At a Council holden at Portsm^{o} according to his Excelencys Sumons on Tuesday March 9th 1748-[9]

Present—His Excelency the Governour

George Jaffrey Theod. Atkinson	Esqs.	Richd Wibird Saml Solley	Esqs.

His Excelency proposed to the Council his issuing his Proclamation [p. 43.] for appointing Thursday the 30th of March Inst. as a day of Publick Fasting & Prayer thro' out this Province on acc^{t} of the seed time, harvest &c. &c. to which the Council did consent & advise. His Excelency & the Council took again under consideration the above s^{d} Fast & altered the day from the 30th to the 23^{d} of this Inst. March.

At a Council holden at Portsmouth by his Excelencys Sumons on Saturday March 11th 1748-[9]

Present—His Excelency the Governour

George Jaffrey T. Atkinson	Esqs.	Richd Wibird Saml Solly	Esqs,

His Excelency acquainted the Council that there was a Ship now in the Harbour from Jamaca of which George Libby is master that had the Small Pox on board sundry of the crew having had it in their passage & the Master & Mate now down with it & asked the Councils advise what they tho't proper to be done in the affair. The Council takeing the said motion under consideration & gave the following advice, viz.

That the Ship as soon (as conveniently may be) be carryed to some place near the Pest house on Anthonys Island & there perform Quarantine—that the owner of the s^{d} ship provide two suitable men (which are to be approved of by his Excelency & under oath) to see the s^{d} Quarantine duely & faithfully performed till further orders—not to suffer any person to goe on board or come on shore without express orders not to suffer any kinde of thing to be landed from on board said Vessell nor any boat canoe & other vessell to come alongside—the person that shall be sent [p. 44.] on board to take the care as afores^{d} and to be furnished with an iron chain and *hook* for the vessell the better to secure the persons from coming on shore.

At a Council holden at Portsm^{o} by his Excelency Sumons on Fryday March 22^{d} 1748—

Present his Excelency the Governour.

George Jaffrey Ellis Huske Theod. Atkinson	Esqs.	Richd Wibird Saml Solley	Esqs.

His Excelency informed the Council that he had had an applycation from Mr. Mark Hunking Wentworth the owner of the ship now under Quarantine that there is on board seven persons that formerly had had the Small Pox, viz. one Doak & Clark taken in at Boston & Timo. Cotton, John Bowles & Christo Linch, Edward Sadler & Ichabod Libby come from Jamaca in the s^{d} ship & then asked the Council weither they would advise him to give for the s^{d} men to be properly classed & shifted & suffred to come on shore—to which the Council did advise & consent—the s^{d} men not to be suffred to bring on shore any apparel or any other thing but to have fresh cloathing of all kinds from the shore & that his Excelency be desired to give the strictest orders to some proper person to see the same punctually performed—

And to prevent any comp^{t} from any of the s^{d} men or the others that remain on board ordred that the Honble Richd Wibird be & hereby is appointed & desired if he will take the trouble thereof—to see that the cloathing & such other things as the owner shall provide are proper for the occasion and *whith* whome the owner is to consult on every occasion as well with respect to the supply of the people on board as those that are permitted to come on shore.

[p. 45.] Province of New Hamp^{r} } At a Council holden at Portsmouth according to his Excelencys Sumons, on Fryday April the 7th 1749.

Present—His Excelency the Governour

George Jaffrey Henry Sherburn Ellis Huske Theodore Atkinson	Esqs.	Richd Wibird Saml Smith Sampson Sheaffe	Esqs.

His Excelency ordered the Sec^{y} to read at the Board the vote of General Assembly for the choice of a recorder the last time the said recorder was chosen, viz. the 19th August 1747 and in the said vote 'tis mentioned that the s^{d} Recorder should be appointed for one year from the 16th of July then last past & until the 3^{d} day of the next sitting of the General Assembly after the expiration of the said term—& then asked the advise of the Council weither in their oppinion the said mentioned third day was expired or not. It appearing that the Comittee in the s^{d} vote appointed to take the charge of the books &c. (when the same

should be expired) into their possession &c. had rec^{d} the books by which means the records are now shut up which might be of great detryment to his Majesties good subjects & therefore proposed that if the said Comittee thro' a misconstruction of the said vote had made a mistake weither the Council would advise to the granting an order to the said Comittee to re-deliver the said books &c. to the above said recorder.

[P. 46.] The Council came to the following resolution viz. Resolved that his Excelency be desired to order the said vote to be laid before the Kings attorney & direct that he give his oppinion in writing weither the time the recorder was appointed for by the s^{d} vote was expired or not & that the Council suspend their further advice till a further day.

Province of New Hamp^{r}

At a Council holden at Portsm^{o} according to his Excelencys Summons on Wednesday April 19th 1749.

Present — His Excelency the Governour

George Jaffry (1)	Esqs.	Richd Wibird	Esqs.
Theod. Atkinson		Saml Solly	

Mark Hunking Wentworth Esqr. making applycation that the Ship Knowles had now performed her Quarantine & that upon a survey of His Excelencies order a report was made that the s^{d} ship was as well cleansed as she could be, &c — and praying she might be admitted to an entry & discharge.

Ordered that the said ship be delivered into the care of the owners and that Capt. Mark Hunking be directed to see (with the advice of Capt. Merdon & Mr. Jere Libby) that the men are washed & shifted & not to suffer any bedding or cloathing of any kinde that had been used or on board to be bro't up in or with the said ship nor any other thing that there may be the least danger of any infection in — and that his Excelency be desired to give the necessary orders herein — Which was accordingly don & an order rendered.

(1) This is the last time the name of George Jaffrey appears in the place of Councillor. He was born at New Castle, November 22, 1682; graduated at Harvard College in 1702; married, January 10th, 1710, Sarah, daughter of David and Elizabeth (Usher) Jeffries, of Boston, who died January 12, 1734. For a second wife Mr. Jaffrey married, March 9, 1738, the widow of Hon. Archibald McPhedris, who was Sarah, daughter of Lieut. Gov. John Wentworth. He resided in Portsmouth, engaged in trade, was appointed Councillor in 1716, and Treasurer of the Province after the death of Mr. Penhallow in 1726. He was also Chief Justice of the Superior Court of Judiciature, and retained that office, as well as that of Councillor, until his death. He died at Coll. Appleton's, in Ipswich, Mass., May 8, 1749, aged sixty-nine years.—ED. [*See Brewster's Ramb., Vol. II, p. 69.*]

[P. 47.] Province of New Hamp^{r}

At a Council holden at Portsmouth on Monday the 8th day of May 1749 according to his Excelencys Sumons

Present—His Excelency the Governour.

Ellis Huske Theod. Atkinson	Esqs.	Richd Wibird John Downing	Esqs.

His Excelency ordered the Secretary to read at the Board a letter he rec^{d} from his Grace the Duke of Bedford, dated Whitehall Feby 6th 1748–9, acquainting his Excelency of a Definitive Treaty of Peace concluded at Aix La Chapelle on the 17th day of October then last between his Majesty the most Christian King & the States General of the United Provinces to which the Empress Queen of Hungary & the King of Spain & Sardinia—with the Duke of Mordena and the Republick of Gen[e]va had acceded.

With which letter there was also his Maj^{tys} Proclamation on the Premises &c which his Excelency ordered to be published at the Council Chamber & at the Parade &c. which was done accordingly.

Province of New Hamp^{r}

At a Council holden at Portsmouth according to his Excelencys Sumons on Wednesday July 19th 1749.

Present—His Excelency Benning Wentworth, Esq. Governour.

Theodore Atkinson Richard Wibird Samuel Smith	Esqs.	John Downing Samuel Solley Sampson Sheafe	Esqs.

[P. 48.] His Excelency laid before the Board a Letter from his Excelency Governour Shirley dated Boston June 3^{d} 1749 relateing to the makeing a peace with the Indians & appointing a time & place for a treaty with them, &c. &c.

And then told the Council he tho't it for his Maj^{tys} service & the interests of the Province to send Commissioners to attend the said Treaty which was appointed to be held at Casco Bay on the 27th of September next, and accordingly appointed Theod^{r} Atkinson Richd Wibird Saml Solley & John Downing Esqs to be by him Commissioned for that service.

Letter from Gov. Shirley to Gov. B. Wentworth.

[Copied from Coll. N. H. Hist. Soc., Vol. II, p. 264.]

Boston, June 3, 1749.

SIR—The occasion of this Letter is to acquaint your Excellency, that there are now in Boston nine Indians, six of the Penobscot Tribe and three of Norridgewalk, with whom I have had divers publick Conferences, who declare

themselves to be sent hither by the Indian Tribes of St. Francois and St John's River, as well as their own, and impowered by those Tribes to assure us of their Disposition and Desire to make Peace with the English Governments, and to appoint a time of Meeting for such Treaty; and I have accordingly appointed the 27th of Septr next for the time of their meeting us at Falmouth in Casco Bay. And as this Governt apprehends that it will be of great Advantage for the Success of this Affair, that all the neighbouring Governmts concerned in the late War should be represented by their Commissrs at this Treaty, I desire that your Excellency would please to send Commissioners from New Hampshire to join in these Negotiations in behalf of your Province. As it has always been the custom to make Presents to the Indians upon the Conclusion of the Treaty, We have provided for such Presents as we judged necessary for our selves. I shall write to the Governours of Connecticut and Nova Scotia.

I am, &c.

W. SHIRLEY.

His Excellency Benning Wentworth, Esq.

Province of New Hampr

At a Council holden at Portsmouth by his Excelencys Sumons on Sunday July 23d 1749.

Present — His Excelency the Governour.

Henry Sherburne	Esqs.	Richd Wibird	Esqs.
Theodore Atkinson		Saml Solley	

His Excelency mentioned to ye Council the quantity of Powder remaining of what was procured for the Canada Expedition, that he looked upon it case of lightning, fire &c. of very dangerous circumstances to the whole town — and therefore asked the Council what steps they tho't advisable to be taken for the greater security thereof.

The Council takeing the above under consideration gave the following advice, viz. That his Excelency be desired to give the [p. 49.] officer at Fort Willm & Mary orders to receive the same giveing a recl therefor for the number of casks and their respective contents, and that the same be secured in some Magazine in said Fort, and that he alsoe give an order to the Committee who now has the care of the sd Powder to convey the same to the sd officer.

His Excelency alsoe laid before the board two anonymous letters directed to Jotham Odiorne, Esqr. one dated June 12th last, the other dated the 14th July Inst. (no place named from whence wrote) demanding the sum of £500 lawful money & on his refuseing to lodge the same on the long bridge between Kingstown & Chester threatning to destroy his person & estate, &c.

Upon which the said Odiorne being asked declared that he received the last of the sd letters from Robert Elliot Gerrish who told him he had it from a mulatto fellow named Pero heretofore a servant of Mr. George Massey of this town now liveing with one Willm Blair of Londonderry — that the said Pero gave it to him at Newbury and said his Master sent it. The first of said letters being dropt in sd Odiornes Yard.

Ord. That the said William Blair & the said Pero be imediately apprehended and bro't before the Governour & Council in order to their being examined concerning the premisses.

Province of New Hamp^{r}

At a Council held at Portsm^{o} by his Excelencys Sumons on Wednesday July 26th 1749.

[P. 50.] Present

Theodore Atkinson Richard Wibird Samuel Smith	Esqs.	John Downing Samuel Solley	Esqs.

Ordered That a sumons be Issued to require the attendance of Capt. John Mitchell of Londonderry that he may be interrogated about Mr. Willm Blair & the letters left with & sent to Mr. Odiorne as entred on Sunday last. Messrs Packer & Livermore being appointed by the Council to take notes.

The s^{d} Mitchell was sent for in and examined—see the minits.(1)

Then the said Mitchell was ordered to withdraw and to give his attendance tomorrow in the forenoon.

Then the Council ordred the Sherriff to bring before the Board the serv^{t} of William Blair named Pero who was alsoe examined. See the minits.

Pro. N. Hamp^{r}

At a Council holden at Portsmouth according to his Excelencys Sumons on Saturday July 29th 1749.

Present

Theodore Atkinson Richd Wibird Saml Smith	Esqs.	John Downing Saml Solley Sampson Sheaffe	Esqs

Resolved that his Excelency be desired to issue a Proclamation by and with the advice of Council for the apprehending Willm Blair of Londonderry & confineing him so that he may be bro't to justice on the affair of the threatning letters sent to Jotham [P. 51.] Odiorne Esq. & offering a reward of thirty pounds to such person or persons as shall secure the said William in such a manner as that he may be bro't to a tryal.

(1) The "minits" here referred to cannot now be found.—Ed.

Province of New Hampshire

At a Council holden at Portsm° according to his Excelencys Sumons on Monday July 31st 1749.

Present

Henry Sherburne Theodr Atkinson Richard Wibird Saml Smith	Esqs.	John Downing Saml Solley Sampson Sheaffe	Esqs.

His Excelencys letter to this Board of this day date being read at the Board adviseing the Council that he had laid before him the resolve of Council of the 29th Inst. desireing him to issue a Proclamation for the apprehending Willm Blair of Londonderry & for offring a reward to any person or persons that should apprehend the said Willm Blair & that he tho't the reward in the said resolve mentioned was not high enough & therefore proposed to the Council to raise it & to extend it to any person that may have been concerned in the scheme of the said letters. Upon which the Council came to the following resolve viz.

Resolved unanimously that his Excelency be desired to issue a Proclamation for the apprehending the said William Blair or any his accomplyces in the writing or contriving the said vilinous letters and that a reward of one hundred pounds New tenor be promised to be paid out of the Treasury of this Province to any [p. 52.] person or persons that shall voluntaryly apprehend & secure him or them so that they may be convicted and that the Secretary countersign the Proclamation by & with the advice of Council.

Province of New Hampr

At a Council holden at Portsmouth according to his Excelencys Sumons on Monday November the 13th 1749.

Present—His Excelency the Governour

Theodore Atkinson Richd Wibird	Esqs.	Saml Solley Sampson Sheaffe	Esqs.

His Excelency acquainted the Board that he had oftentimes been solicited by Capt. John Mitchell now a prisoner in his Majesty's goal on a sentence given against him at his Majtys Superiour Court of Judicature praying that he would be pleased to take his the sd Mitchells case under consideration and grant him some release as in his wisdom & goodness he should see fit—at the same time laid before the Board a petition from the ministers, justices, selectmen & military officers of the town of Londonderry, where before the imprisonment the said Mitchell did reside, praying his Excelencys interposition in the said Mitchells behalf—which being read at the Board his Excelency alsoe read at the Board his Majesties 36 Instruction and alsoe a Parragraph of his Majesties Comission to him as Governour) relateing to his remitting all

fines, forfeitures &c. and then asked weither the Council would advise him agreeable to the said Instruction to suspend the payment of the fine mentioned in the said Judgment or sentence, to which the Council did advise.

[P. 53.] His Excelency alsoe acquainted the Board that the Comissioners he had appointed & impowered to treat with the Indians at Casco Bay had in pursuance of his Comission & Instructions attended said service — and that they had concluded upon & settled articles of Peace & friendship & then ordred the Secretary to lay the same upon the table which was don & perused by the Council his Excelency then asked the advice of the Council weither he should issue a Proclamation thereof to make the same publick to which the Council did advise.

The Submission and Agreement of the Eastern Indians.

[Copied from Coll. Hist. Soc. MS., Vol. IX., pp. 220–223, (1st series).]

Whereas a War has for some years past been made and carried on by the Indians of the tribes of Penobscott, Norridgewock, St. Francois, and other Indians, inhabiting within his Majesty's territories of New England, against the governments of the Massachusetts-Bay and New Hampshire, contrary to several treaties heretofore solemnly entered into: And the said Indians being now sensible of the miseries and troubles they have involved themselves in, and being desirous to be restored to his Majestys grace and favour, and to live in peace with all his majesty's subjects; and that all former acts of injury may be forgotten:—

We the under written being delegated and impowered to represent and act for and in behalf of the Indians aforesaid, have concluded to make, and do by these presents in their name make, our submission unto his most excellent majesty George the Second, by the Grace of God of Great Britain, France and Ireland, king, defender of the faith &c. in as full and ample a manner as any of our predecessors have heretofore done.

And we do by these presents engage with Thomas Hutchinson, John Choate, Israel Williams, and James Otis, Esqrs. commissioned by the Honourable Spencer Phips Esq. as he is lieutenant-governour and commander in chief of the Province of the Massachusetts-Bay, and with the Governour or commander in chief of said Province for the time being.

That is to say, in the name and behalf of the tribes and Indians aforesaid, we do promise and engage, that at all times forever, from and after the date of these presents, we and they will cease and forbear all acts of hostility, injuries, and discords towards all the subjects of the crown of Great Britain, and not suffer the least hurt, violence, or molestation to them or any of them, in their persons or estates; but will hence forward hold and maintain a firm and constant amity with all the English; and will never confederate or combine with any other nation to their prejudice.

That all the captives taken in this war shall forthwith be restored, without any ransom or payment to be made for them or any of them. That his majestys subjects, the English, shall and may peaceably and quietly enter upon, improve, and enjoy all and singular their rights of land, and former settlements, properties, and possessions within the eastern parts of the said province of Massachusetts Bay, together with all islands, islets, shores, beaches and fishery within the same, without any molestation or claims by us or any other Indians, and be no ways interrupted or disturbed therein: Saving to the tribes of Indians within his Majesty's province aforesaid, and their natu-

ral descendants respectively, all their lands, liberties and properties, not by them conveyed or sold to, or possessed by any of the English subjects as aforesaid; as also the privilege of fishery, hunting, and fowling as formerly.

That all trade and commerce, which hereafter may be allowed between the English and the Indians, shall be under such management and regulation as the Government of the Massachusetts province shall direct.

If any controversy or difference at any time hereafter happen to arise between any of the English and Indians for any real or supposed wrong or injury done on either side, no private revenge shall be taken for the same, but a proper application shall be made to his majesty's government upon the place, for remedy or redress thereof, in a due course of justice; we submitting ourselves to be ruled and governed by his Majesty's laws, and desireing to have the benefit of the same,

We do further engage, that if any Indians shall at any time hereafter commit any act of hostility against the English, we will join our young men with the English in reducing such Indians to reason.

In the next place, we the underwritten do promise and engage with Theodore Atkinson and John Downing, Esqs. commissioned by his Excellency Benning Wentworth, Esq. Governour and commander in chief of his majestys province of New Hampshire and with the Governours and commanders in chief of said Province for the time being, that we, and the Indians we represent and appear for, shall and will henceforth cease and forbear all acts of hostility, injuries, and discords, towards all the subjects of his Majesty, king George, within the said Province. And we do understand and take it that the said government of New Hampshire is also included and comprehended in all and every the articles foregoing, excepting that respecting the regulation of trade with us.

In testimony whereof we have signed these presents, and affixed our seals.

Anasaguntacooks and Wewenocks.	(Seal)	*Norridgewocks*		*Penobscotts*	
Sawwaramet	S.	Toxus	(Seal)	Eger Enmut,	(Seal)
Ausado	S.	Cneas	S.	Maganumba,	S.
Waaununga	S.	Magawonbee	S.	Nutumbouit,	S.
Sauguish	S.	Harry	S.	Esparagoosaret	S.
Warcedeen	S.	Soosephnia	S.	Nesnooon	S.
Wawawnunka.	S.	Noktoonos	S.		
		Nesagumbuit	S.		
		Peereer	S.		

The counterpart was signed and sealed by the Commissioners of the Province; firmly engaging peace, and an uninterrupted enjoyment of the Indians in their lands; but the quantity or boundaries were not described.

Proclamation in ratification of the Treaty,

By the Honourable Spencer Phips, Esq. Lieutenant Governour and commander in chief in and over his Majesty's province of the Massachusetts-Bay in New England.

A. Proclamation.

Whereas, at the request of the Indians of the Penobscott, Norridgewalk, Anasaguntacook, Wewenock, and other tribes, inhabiting within his Majestys territories of New England, who have lately been at war with this Government, signified by their delegates to his Excellency William Shirley, Esq. captain-general of the said Province, at Boston, in the month of June last, a treaty was begun and held at Falmouth in Casco bay, upon the 14th of October instant, between commissioners by me appointed and impowered for that purpose, and certain chiefs and other Indians for and in behalf of the said

tribes; and upon the 16th following, articles of peace and friendship between this government and the said Indians were agreed upon, finally settled and concluded —

I have therefore thought fit, with the advice of his Majestys Council, to issue this proclamation, that all persons within this Government may be duly informed of the peace concluded as aforesaid. And I do hereby strictly command and require all his majesty's good subjects to live in peace and amity with the Indians of the Penobscott, Norridgewalk, Anasaguntacook and Wewenock tribes, and the other Indian tribes within the territories aforesaid, who have lately been at war with this government, and not to commit any acts of violence or hostility against the said Indians or give them any trouble or molestation; but on the contrary to afford them all necessary comfort and assistance as occasion may require; and his majesty's justices of the Peace, and all other officers, in such places where the said Indians may resort, are hereby commanded to use their utmost endeavours that no wrong or injury be offered to the said Indians, and that the good laws of this province be strictly observed and maintained in all dealings and transactions with them.

Given at the council chamber in Boston, upon Friday, the 27th day of October, 1749, in the 23d year of the reign of our sovereign lord George the second, by the grace of God, of Great Britain, France and Ireland, king, defender of the faith, &c.

S. Phips.

By order of the Honourable the lieutenant-Governour, with the advice of the Council.

J. Willard, Sec'ry.

God save the King!

Note. The Proclamation supposed to have been issued by his Excellency Benning Wentworth, relating to the above said Treaty, cannot now be found. — Ed.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

UNDER THE

ADMINISTRATION OF GOV. BENNING WENTWORTH.

NOTE BY THE EDITOR.

The first portion of the Journal which follows is copied from the "Journal of the House," in Secretary's office, 1724–1743, pp. 610–653. Pages in the margin correspond with pages in the MS. Journal.

[P. 610.] *Anno Regni Regis Georgii Secundi Magnæ Britanniæ, Franciæ & Hiberniæ Decimo Quinto.*

A Journal of the House of Representatives for the Province of New Hampshire in New England, begun and held at Portsmouth in and for said Province, the 13th of January, A. D. 1741–2.

His Excelency Benning Wentworth, Esq. Issued out the Kings Writ for calling an Assembly of the Freeholders & other Inhabitants, Quallified by Law to Represent the several Towns, &c.

The p'sons Return'd to serve in Gen[l] Assembly are as follows, viz.

For Portsmouth	James Clarkson, Esq. Capt. George Walker Mr. Hunking Wentworth
Dover	Capt. John Gage Mr. John Canney Capt. Thomas Wallensford
Hampton	Mr. Samuel Palmer—by desier dismisst Capt. Icabod Robie Mr. Joseph Toll
Exeter	Samuel Gillman, Esq Maj. Peter Gillman
Stratham,	Andrew Wiggin, Esq.

New Castle,	Mr. Jotham Odiorn
Rye,	Capt. Richard Jennes
Newington,	Mr. George Walton
Greenland,	Mr. Thomas Packer
Kingstown,	Ebenezer Stephens
Londonderry,	Mr. Andrew Todd
Durham,	Mr. Jonathan Tomson
New Market,	Mr. Israel Gillman

His Excell^{y} adjourned the Genl Assm. to the 14th curr^{t}.

[P. 611.] Thursday, Jan. 14th A. D. 1741–2.

His Excell^{y} sent Mr. Secretary to see if there was a Quorum of the House met. He was answered, There was. Then Mr. Secretary withdrew.

Eod^{m} Die. Mr. Secretary, Theo. Atkinson & Richard Wibird came to ye House, and said they were Impowered by his Excell^{y} to Adm^{r} the Proper Oaths & Declarations to the several members for Qualifying them. When they came to hold up their hands, Mr. John Canney a Quaker refus'd, But said he was willing to make a solemn affirmation which was accepted afterwards. After the Oaths Adm^{d} Mr. Secretary said they had further Instructions from his Excel^{y}, viz. to Direct the House to make choice of a Speaker, and then withdrew.

The House proceeded to the choice of a Speaker.

Andrew Wiggin, Esq. was chosen Speaker unanimously. Then the House made [choice] of James Jaffrey, Gen^{t} for their Clerk & he was sworn accordingly.

Messrs. Packer, Walton & Wallensford was sent to acquaint his Excell^{y} That the House had chose Andrew Wiggin, Esq. Speaker.

Eod^{m} Die. Mr. Secretary came to the House and said that his Excell^{y} Required the attendance of Mr. Speaker and the House in the Council Chamber. Mr. Speaker and the House went up accordingly. His Excell^{y} made a speech. Mr. Speaker pray'd a copy and Return'd.

Eod^{m} Die. Mr Secretary bro't the Speech to be Coppyed & then to be return'd to him again

The House adjourn'd for two hours, P. M.

P. M. More members came, the Speech read as follows, viz.

Gen^{t} of the Council and of the Assembly,

His Majesty out of a tender Regard to the future Happiness & Prosperity of his faithful subjects in this Province has been graciously pleased to answer [P. 612.] the united applications to the Throne, to separate the Government of this Province from the Mass^{u} Bay, an Event which if rightly improv'd will (under the direction of Heaven) be a lasting advantage, will be a means of replenishing your Towns with People, of extending & inlarging your Com-

merce, & since it has been his Maj^{tys} Pleasure to commit to my charg. the Royal Commission, I shall in all faithfulness to the Trust comitted to me strictly support the Hon^{r} interest & Prerogative of the Crown, and Endeavour that the Governm^{t} shall be prudently Administered, That the Publick concerns shall be conducted with integrity, and that your Civil & Religious prevelidges shall not only be preserved but advanced to the Extent of my Power.

His Maj^{ties} great wisdom & impartiality in determining the Tedious dispute with the Mass^{a} Bay, (which has subsisted in one shape or other upwards of threescore years) is the highest instance of that paternal care, his Maj^{tie} Extends to all his subjects, tho' never so remotely placed, and should excite a generous ambition in all orders of persons in the Governm^{t} who should be first in duty and obedience to his Royal person, family & Governm^{t}. This has been your character and in consequence of that dutifull behaviour to your Sovereign you are now begining to reap the fruits of your past obedience.

The several Governments on the Continent have furnished his Maj^{tie} with recruits to carry on the just and necessary war already begun against the king of Spaine in the West Indies, and had early measures been taken before I arrived in the Government, this Province would have supplyed their Quota of men with as much chearfulness as any of the other Governments, more especially as the late Assembly had placed money in the Treasury for that purpose, but I am now apprehensive the good intentions of the Province will be [p. 613.] frustrated since the men fit and willing to enter into the Kings service, have mostly Inlisted themselves in the other Governm^{ts}.

It gives me a sensible pleasure on my accession to the Governm^{t} that the Publick faith has been so Religiously kept in regard to past Emissions of paper money & that agreeable to the several Periods provided for by Acts of Governm^{t} all former Emissions will be complyed with in the yeare 1742. This is a fortunate circumstance in favor of the Province, more particularly as the State of Paper Currency in all the Plantations is now under a Parliamentary Consideration.

Gen^{t} of the Assembly,

It is his Majesties Especial Comands to me That on my first meeting the Assembly, I recomend to them, that Provision be made for the Honble Support of the King's Governm^{t} And that you settle a Sallary on me suitable to maintaine the dignity of my office, and on my successors, in Sterling or Proclamation money, That it may not be liable to vary or subject to depreciate by the uncertain value of paper Currency. Former Assembly's have paid obedience to his Maj^{ties} Comand on this Important subject, therefore I have the less room to doubt your ready compliance herewith, as a contrary behaviour will affect your present and future felicity, & to enable you to comply with your Obligations to the Crown, and that no Extraordinary aids should be asked of the People, His Maj^{tie} has been pleased to condescend to indulge me with his Royal leave to consent to a further Emission of paper Currency provided it can be effected without prejudice to the Trade of our mother kingdom, which in the Enacting all Laws I shall expect you pay a particular regard.

The last Assembly having made a supply for runing the lines between this Province & the Mass^{a} Bay in conformity to his Maj^{ties} determination in Council, And Mr. Mitchell having laid before me a correct survey of that part he was imploy'd in, I need only mention to you that when the whole shall be compleated you will grant such further supplys as shall fall short, that I may be able to carry the Kings Instructions into Execution, wch shall be laid before you.

[p. 614.] The defenceless state of Fort Wm. & Mary the onely Fortification in the Province, requiring your Imediate inspection & I hope you will not faile to furnish that Garrison with such warlike Stores as may be necessary for the safety & defence of the Province.

There being no Fortification at or near the Great Pond Winnipissiokee, I hope you will think it for the publick service to Errect & keep a Block House in the most convenientest place neare that Pond. it will protect your Frontier & in case of an Indian Warr be of great use to the new settlements.

I shall order the Treasurer to lay his accompts before you, by which you will in part be able to judge of the Publick Debts. There will be exclusive of those accompts, A Debt due from the Province to private persons Expended in Engl^d and here in defending the Province against the claims of the Mass^a which few of you are strangers to, & which for want of annual supplies for many years past is become a heavy Debt. From the justness of this Debt & from the service done the Province, I am hopeing you need little urging to discharge the same Honourably & in a manner least burthensom to the People.

The next thing that claims your attention is the faithful services of your Agent, who has taken unweried pains in what affairs you comitted to his care, & it is your Province more particularly to reward his past service in which and in any thing else that concerns the Publick you may Expect my concurrence.

Gentlemen of the Council & of the Assembly

Under your present situation you have but one Interest to pursue, being [p. 615.] actuated by such principles you will Endeavour to Promote Harmony & Union in every branch of Power, you will discountenance persons that shall make the least attempt to disturb the general Tranquillity, let it be disguised under any specious pretence whatsoever. Such a behavior will give weight to your deliberations & reflect Hon^r on the Government, and such resolutions vigorously pursued will render the Present sessions short and consequently less expensive to the People.

I shall on my part be ambitious in incouraging measures in themselves, and think my self happy if while I have the administration of the government in my hands I can be Instrumental to make you a usefull & Flourishing Province. This was my first view, and is my determined aim, and it shall remaine unalterable until you put it out of my Power, which I hope you will carefully avoide.

B. Wentworth.

Province of New hampshire,
Portsmouth, 14th Jany 1741-2.

The House adjourn'd to the 15th curr^t A. M.

Fryday, January 15th A. D. 1741-2. A. M.

Voted, That Messrs Jotham Odiorn, Thomas Packer, & Geo. Walton be a Committee of this House to joyn such as the Honble the Council shall appoint to audite all such accompts as shall be bro't in this Sessions, and to make return of their doings therein Sent up. The House adjourned for 2 hours, P. M.

P. M. Norriss' Petition read.

Voted That Jotham Odiorn, Geo. Walton Saml Gilman Esqs. [p. 616.] be a Committee of this House to draw up an answer to his Excel^ys Speech and make return for approbation.

A Petition of the South part of Exeter read and voted as on the Petition.

The House adjourned to the 16th curr^t A. M.

Saturday, Jan. 16th A. D. 1741. A. M.

The House met. Exeter vote sent up.

Adjourn'd to Monday 18th curr^t.

Met—adjourned to the 19th curr^t.

Tuesday, Jan. 19th A. D. 1741– A. M. The House met

A Mess^a from the Board, viz. That Theo. Atkinson, Joshua Pierce and Richard Wibird Esqs were appointed Auditors of accompts.

Adjourned for 2 hours P. M.

P. M. Met—adjourned to the 20th curr^t.

20th Jany A. D. 1741—A. M. The House met.

Elis Hirst (1) Esq. came into the House & delivered the Speaker the plan made by the Comiss^rs & Explanation.

Eod^m Die. Jotham Odiorn Esq. bro't a letter from Genl Wentworth to his Excell^y B. Wentworth about Recruits & a letter from his Excell^y to the House—all on file.

The House adjourned for 2 hours P. M.

P. M. The Committee for telling money Bro't £3797: 2: 9 which was burnt. The House adjourned to the 21st curr^t A. M.

The Committee for answering his Excell^ys Speech, Bro't in their Draught which was read.

A Petition for a new Parrish in Londonderry read.

[P. 617.] The answer of the House of Representa^t to his Excell^ys Speech.

May it Please your Excell^y

We the Representative Body, his Majesties good subjects of the Province of New hampshire, Rejoice at the present op'tunity of manifesting to the world our hearty concurrence with your Excelly^s gratefull sentiments of his Maj^ties Royal Grace & Favour to this Province in the several important articles intimated in your Excell^ys speech with others that might be Enumerated. Were we to Express the deep sense we have of his Maj^ties great Goodness and our dutyfull acknowlidgments of his paternal regard to us in the particular instances thereof we should be inevitably drawn out to too great a Prolixity, for an Essay of this Nature. We hope those that will from time to time have the management of our Publick concerns will obtaine the divine direction & Wisdom & Prudence to improve all the Royal favors & every advantage for the best Interest of the Province. But we beg your Excell^ys Patience while we take particular notice of his Maj^ties tender Compass^n, consumate wisdom

(1) Huske?

& Exact Justice in bringing to a Judicial Issue an unhappy dispute between his subjects which had subsisted (as your Excell^y well observs) from time to time immemorial, the determination of which had been before often unsuccessfully attempted. The final settlement of this tedious controversie (in which it is notorious this Province was the suffering party) will for ever indeare his Maj^ties name & memory to all his faithfull subjects here, & be a standing monument to future Generations of his tender care & concern for their Peace & Tranquillity, & it is our Resolution to exert our utmost Powers [P. 618.] both in our Publick & Private capacities to perpetuate the remembrance of that auspicious event by impressions of the highest gratitude in the minds of all those who Experience and feel the happy consequences of it.

We cannot but esteem it a mark of his Maj^ties Special Grace & Favour and which also calls for our particular acknowledgments on this occasion that he has been pleased to appoint one to Represent his Royal p'son among the People who stands in a kind of natural relation to them, whose Interest is blended with theirs, & who is prompted by many motives besides natural inclination to promote their welfare. But what still inhances the Favour is that their present Governor's Imediate ancestor long filled the chief seat of government amongst them, the memory of whose clement and mild administrations will ever be deare to those who were so happy as to Experience them.

At the same time we congratulate your Excell^y on your happy arrival to your government, & bid you heartily Welcom, and we would observe, that it gives us a verry sensible pleasure (as we doubt not it does all ye good People of this Province) to see your Excelly. giving Express assurances from the chaire of your fixed purposes to conduct the Administration of the government comitted to your charge in such a manner as will best improve the Weal of those who live under the influence of it, and of imploying your utmost abillities in your advanced station not only for Protection and preservation of their present most valuable interests & enjoyments but also to heighten and augment them. For this we look upon our selves obliged in point of grati- [P. 619.] tude, in behalfe of those we Represent, to return your Excell^y our unfeigned and hearty Thanks. As we are most firmly attached to his Maj^ties p'son, Family and government, we are therefore Ready to Espouse his Quarrel, & to engage with heart & hand with him against the comon Enemy, and we are sorry that former attempts in this government to assist & do service in the present Warr with Spaine prov'd abortive, there being no Comissions sent into the Province for that service for which reason our men then ready did actually Inlist themselves in the other Governments for his Maj^ties service in that Expedition, and was Transported with others on the said service.

We hope that what has been heretofore done, Respecting the observation of the Publick Faith will in some degree facillitate your Excell^ys Administration, and we shall carefully imitate and pursue those laudable measures which have Issued so well, For we assure your Excell^y that we are firmly of opinion that 'tis impossible a Government should long subsist in any tolerable circumstances without a strict adherence to the Acts of Government and the puncual observation of the Publick Faith.

Your Excell^y goes on to acquaint us with his Maj^ties Comands to you to recomend the settlement of a suitable Sallary upon your self & successors, and to put us in mind how former Assemblys have conducted themselves upon this account —

To which we say, That as soon as we know what number of Inhabitants its likely will be added to us by the late settlem^t of the Boundaries & how the money can be raised, we shall make as ample Provision for your Excell^ys Honble Support in the Government as we can in our present circumstances & as we judge will be agreeable to the minds of our Constituants. And we [P. 620.] trust your Excellency will seasonably inform us what his Majesties pleasure is Respecting future Emissions of paper currency that we may better be enabled to deliberate on this weighty Point, and whatever the situation of our own affairs may be we will not knowingly presume to Transact any matter so as to interfere with the interest of our mother contry.

We shall with the utmost alacrity comply with all necessary tearms of car-

rying the Kings Instructions touching the Boundarys between this and the neighbouring Province into Execution; But here we beg leave to observe to your Excellencie, That the Province of the Mass^a stands obliged to beare one half of the charge of settling these Lines, That there is a considerable sum of money due from y^t Province to this on that Score. We therefore pray your Excell^y to use your Interest to recover our just claime there, and in order thereto to pursue such measures as you shall think proper to that end, That we may be better able to Expedite that affaire and speedily to effect w^t yet remains to be done with relation to those Boundaries.

As to furnishing our Fortification with stores of war and doing what may be of public service by erecting of others, we can only say (at present) in general we shall take especial care of those affairs and make them a principle concern so far as the publick safety makes it necessary, and will not neglect any means in our power that may be conducive thereto.

When we are informed of the Principal Debts & who are the Creditors we shall not frustrate your Excellencies just Expectations respecting suitable Provision for the Discharge of them, [p. 621.] and while this is under consideration we shall not be unmindful of those who have been great Bennefactors to the Province by advancing such sums from time to time as the Exigencies of affaires demanded,—And under this Head we can't but confess the Great obligations we are under to our agent for his Fidelity & Indefatigable Industry and Labours in behalf of this Province.

We trust this and all succeeding Assemblys as well as all private p'sons will be Ever ready gratefully to acknowledge his faithfull services. We shall as we are able shew our good will towards him, but as to making an adequate compensation wee cannot pretend to it at present, & indeed almost dispaire of seeing that Period in our time when the Province will be able to do it. Upon the whole we would repeat our thankfull acknowledgments for your Excell^ys reiterated Professions of being as it were devoted to the Publick service, and we assure your Excell^y we have a lively sence how unbecoming & pernicious it is for the several Branches of Power in a Government to be divided by misunderstandings and mutual Jealosies.

We shall therefore to the utmost of our Power Promote unanimity among ourselves, and a general Harmony & good agreement between all the Branches of the Government, nor shall we countenance any specious pretences to Interrupt and destroy such a desierable Unity.

Andrew Wiggin, Speaker.

Jabez Smith's Petition for a Licen'd House read & voted s^d Petition be dismiss'd.

[p. 622.] Londonderry Petition Read and voted, y^t ye Petitioner serve the Selectmen of Londonderry to app^r &c. this Sessions if sitting, otherwise the 3^d day of the next sessions.

[Adj. from day to day, till]

Tuesday, Jan. 26th A. D. 1741-2. p. m. A Petition for Division of some lands wherein the late Thomas Thompson of Londonderry Cler. Deceased was concern'd. Read & voted as on the Petition: Adjourned.

Wednesday 27th the House met. Tuttle's Petition read & voted to lye for consideration. Adjourned.

[P. 623.] Fryday, Jan. 29th A. D. 1841–2, A. M. The House met. Proceeded on the accompts & past on several.

P. M.

Voted — That a Messa be sent to desier his Excelly to direct the Secretary to give a Certificate of the days of the sitting of Each Councillour in Genl Assm since April 1737, that the House may perfect the accompts.

Voted, That Benja Akerman be allowed & paid out of the Publick Treasury the sum of twenty Pounds for Extre. Attenda.

A Messa be sent to his Excelly to know how his Instructions will admit of for making money to pay our Debtes &c. Adjourned to the 30th currt A. M.

Saturday, January the 30th A. D. 1741–2. The House met.

Voted, that Messrs James Clarkson, Saml Gilman & Hunking Wentworth, be a Comittee of this House to joyne such as the Honble the Council shall appoint, to agree upon some method for Proportioning those p'sons that are fallen within the Lines not incorporated. Sent up

[Adjourned from day to day till]

Wednesday, Feby the 3d A. D. 1741–2, A. M the House met.

Theo. Atkinson, Esq. Bro't back the vote of the House of ye 30th Jany abt proportioning the Towns, &c. & bro't a vote of Council, viz. Jany the 3d 1741 A. M.

[P. 624.] In Council

Febu 3d 1741–2. Voted, That Joseph Sherburn, Theodore Atkinson & Saml Smith Esqs. be of a Committee from the Council to joyne with such as shall be chosen by the House of Representatives to prepare a bill for bringing the Poles and Estates into a Province Tax wch falls within this Province by his Majties late Settlement of the Province Lines, and which have not as yet been Taxed within this Province.

Richd Waldron, Secy.

Eodm Die. In the House of Representatives, the above Vote Read & concurr'd & Voted, That Messrs Clarkson, Saml Gilman & Hunking Wentworth be a Comittee from this House to Joyne the above Comittee for the End aforesd.

James Jaffrey, Cler. Assm.

The House adjourn'd for 2 hours P. M.

P. M.

The Treasurer's Accounts Debated on.

The House adjourn'd to the 14th currt A. M.

Tuttle's Petition past on and sent up.
Mr. Mitchel & Briants accounts sent up.

P. M. The House debated ab^t making an Emission of Bills of Credit and what denomination & the Question was put to make money or not, it past in the affirmative. What value: It past at 6: 8 per oz.

A vote past for the Gov^rs Sallary. The affair was settled at the End of the Sessions.

The House adjourned to the 5th curr^t A. M.

Fryday Feby 5th A. D. 1741–2, A. M. The House met.

Voted, That a Mess^a be sent to his Excell^y to direct the Treas^r to bring in his accompts from the last settlem^t in the yeare 1737, to this time, of all money how applied according to the several [P. 625.] appropriations the House having resolved to receive no other. Sent up.

Capt. Richard Hiltons petition read & voted as thereon.

Capt. John Eyers Pet^n Read & Voted it be Dismiss'd. The House adjourn'd for 2 hours

P. M.

A vote past for Payment of any sort of money for the Tax in the yeare 1742, but alter'd afterwards.

The House adjourn'd to the 6th curr^t A. M.

Saturday Feby 6th A. D. 1741, A. M. The House met.

Ex^r Petitioners Bill read, & read a 2^d time.

The Treasurer was told by the House that they would receive no other accompt but according to the appropriations.

The House adjourn'd to Monday the 8th curr^t A. M.

[& from day to day till]

Wednesday, Feb^u 10th A. D. 1741–2, A. M.

Exeter Petitions Bill read a 3^d time & past to be Enacted.

Londonderry Petitioners Bill read the first time. Read three times and past to be Enacted & both sent up.

Adjourned for 2 hours, P. M.

A vote past for a Bill to be Bro't in for Rateing those p'sons now added to the Government. Adjourn'd to the 11th curr^t A. M.

Thursday Feby 11th A. D. 1741–2. A vote past for £375. 6: 8 per oz. for Sallary Sent. Settled afterw^d.

A vote past to Raise as much of the 6: 8 money as would pay ye Province Debts, & a vote for proportioning the Towns, &c.

[P. 626.] The House adjourn'd for 2 hours P. M.

P. M. Tuttle's Bill read.

A vote past for striking money on a New Plate: an act made for it afterward. The House adjourn'd to the 12th curr^t.

Fryday Feby 12th A. D. 1741–2, A. M. The House met.

That whereas the Genl Ass^m at their last sessions Voted £500 for repaire of the South Platform, &c. in the Fort Wm & Mary & this House has sent a Mess^a to the said Comittee for an accompt how the money has been disposed of, which Comittee refuses to render the House an accompt, Therefore voted, That Messrs Thomas Packer & Geo. Walton be a Comittee from this House to desier his Excell^y to demand an accompt from s^d Comittee and that his Excell^y will be pleased to lay the same before the Genl Assembly.

The House adjourn'd for an hour & a half P. M.

P. M

Sundry debates ab^t the money to be Emitted

The House adjourn'd to the 13th curr^t A. M.

Saturday Feb. 13th A. D. 1741–2. A. M. The House met.

Tuttles Bill sent up. Rochester Petition read & Voted as on the Petition.

[Adjourned from day to day till]

Wednesday, Feby 17th P. M.

A vote past that all former Debts due from the Province shall be paid off after the Rate of a new Tenour Bill of 6: 8 shall pay 28s old Debts.

[P. 627.] A vote past as on file for £375 or £1500 old Ten^r for his Excell^ys Sallary for the present year. This vote did not pass.

Eod^m Die. In the House &c. voted, That his Excell^y be presented with the sum of five hundred pounds and paid out of the money Raised for the West India Expedition now in the Treasury, towards the charge he has been at in coming to the Governm^t &c. and prays his Excelly^s acceptance of the same & that his Excell^y be desiered to Issue out his Warr^t accordingly

James Jeffry, Cler. Ass^m

The House adjournd to the 18th curr^t A. M.

Thursday Feby 18th 1741–2, A. M. The House met

The vote for the £500 sent up.

The Treasurer's accompts laid before the House. Rochester Residents Petition read & heard by Council and voted as on the Petition.

P. M. Mr. Treasurer Sherburn was heard on his Acc^{t} by his son Henry who appeared for him

Messrs Hilton, Hurst & others Heard on the said Hilton's Pet^{n}.

A vote past that the late Treasurer be allowed in his accompts for payment of his Excelly Governor Belcher for so much of his last years half Sallary as till Gov. Wentworth's arrival & Comis^{n} opened, viz. the 12th of December, 1741.

The House adjourn'd to the 19th curr^{t} A. M.

Fryday, February the 19th A. M. The House met.

Some members moved to reconsider the Treasurers acc^{ts} And the Question was put whether they would reconsider them or not. It past in the negative.

[P. 628.] Feby 19, 1741.

These may Certifie, That the No. of dayes which the Council have sat in Genl Court since the month of Ap^{l} 1737, are 765 Exclusive of the days of the present session Feby 4th 1741–2.

R. Waldron, Sec^{y}.

In the House of Repretentatives, Feb. 13th 1741–2.

Voted to be paid 8s pr day old Tenor.

J. Jeffrey Cler. Ass^{m}.

In the House of Representatives, Feb. 19th 1741 —

The annexed accompts, No. 1 to 6, of the Treasurer being Examined in the House and debated upon, and Voted, That the said accompts be allowed in all the articles (Except the last 300£ paym^{t} to the late Govr Belcher which shall be but £177 : 10 : 6 which is in full of his Salary during his Goverm^{t} and the article for paym^{t} of £282, to his Maj^{ties} Council be for 705 from their last paym^{t} at 8s pr day being part of the 765 dayes mentioned in the Sec^{ys} Certificate bearing date Feb. 4th 1741–2. Sent up.

In the House of Represent^{s} Voted That Joshua Pierce, Esq. be Recorder of Deeds &c. for the Province of N. Hampshire for one yeare from this time and until the end of the next sessions of Genl Assembly after the yeare is up, and that he take and receive for every Deed he records twp shillings and six pence for his attestation thereon and the like sum for Every copy he gives and no more.

J. Jeffrey, Clr. Ass^{m}.

The vote of the 17th currt about the money, put to vote whether the House would Reconsider it or no. It past in the affirmative. Then the Question was put If the House did adhere to the vote of the 17th currt. It past in the negc. Then the question was put, What the old money & old Debts should be pd at. It past [p. 629.] that all the Money of this Province should pass alike, viz. The new Bills to be counted four shillings for one in all paymts. The House adjd for 1 hour P. M.

Post M. In the House of Representatives.

Voted, That Messrs Richard Jennes, James Clarkson & Geo Walton be a Comittee of this House to joyne such as the Honble the Council shall appoint, to let out the Excise on Liquors by Vendue to the highest bidder from the 15th of 9br last past for two years.

In the House of Represent.

Voted, That there be paid to each one of his Majties Council for every day of their sitting in Genl Assembly the sum of three shillings Bills of Credit of the new Tenor, and to each Representative while sitting in the Genl Assm two shillings & six pence pr day of the like money to comence from the first day of this sessions, both Councillors and Represent. to be paid out of the Treasury, The Councillors by Certificate from the Secrey and the Representatives on Certificate from the Cler. of the Assm and that an Act be drawn up accordingly.

J Jeffry, Cler. Assm

Eodm Die, Voted, That Mr. Speaker Wiggin, James Clarkson & George Walton, Esqs. be a Comittee of this House to Joyn such as the Honble the Council shall appoint to signe of the new Bills now to be struck off part of the £6000, at 2 1-2 pr ct old Tennor.

The House adjourn'd to the 20th currt A. M.

Message of Gov. Wentworth to the House, February 20, 1741–2.

[Copied from MS. "Govs Messages" in Secretary's office, p. 229.]

Gentlemen—

I have given your vote of 17th Instant its due consideration, and find it so inconsistant with his Majesties Instructions, so far short of an Honourable and ample provision for my support, that I can by no means accept of the grant you intend to make me. By your vote, the Sum you pray me to accept of, will be what I am to expect for my services till the end of the year 1742, which will be near sixteen months, which I apprehend is what the house did not intend, and was overlookt in drafting the vote: Therefore I send it down hoping you will think it worthy your re-consideration. But had your vote been never so full, and even a more ample provision than you have made, it is not in my power to accept of it in the way you desire, nor in any other way but by an Act of settlement, which no Government under the Crown have refused (in obedience to his Majesties commands) to comply with, and which

this Province hitherto have not denied to any of my predecessors. This reasonable compliance with his Majesties Instructions has been a means to obtain you great favours, and if from a contrary behaviour this Assembly should forfeit the Royal favour it would be doing the greatest Injury to the people you represent, and be a means of puting it out of my power ever to ask for or obtain the least indulgence for the Province in future. I am very far from desireing to enter into any contest with the House of Representatives on this or any other subject, but this so nearly concerns the Honour of the Crown, the Prosperity of the Province, and the peace of its inhabitants, that I should stand highly chargeable with want of duty to my Royal master should I give up so tender a point, and I am apprehensive no gentleman in the Assembly can expect or desire it from me.

I would recommend to you that an Address be made to his Majesty for such small arms, great Guns and other war like Stores as shall be wanting for his Majesties Fort William and Mary, and are not to be purchased in this country, which (if you make provision for the repairing of said Fort in any Act you may make) I have great expectation I shall obtain.

B. WENTWORTH.

Council chamber 20 Feby 1741-2.

Saturday Feby the 20th A. M. Anno D^{i} 1741— the House met. A vote past for an additional Excise: an act made for it.

Eod^{m} Die, Voted That a Mess^{a} be sent to his Excell^{y}, praying [P. 630.] That he would be pleas'd to lay a copy of his Instructions relating to his Sallary, and also the Instruction about Emission of Bills of Credit before the House, that so they may have recourse to y^{m} as they formerly had to other Govern^{rs} Instructions on the like occasions, which will prevent any mistakes in their future proceedings.

Mr. Stanions Petition read & voted as on the Petition.

The House adjourn'd to Monday the 22^{d} curr^{t}.

Monday Feby the 22^{d}, A. D. 1741—. The House met.

The House adjourned to the 23^{d} curr^{t} A. M.

Tuesday Feby 23^{d}, A. D. 1741— the House met.

Several votes for paym^{ts} allowed as in the supply Bill. A vote past for paym^{t} of Cons^{t} Barter of Boston £15, for his care & Dilligence in Detecting some persons for counterfeiting our ten shillings Bill & taking the Plates in the supply Bill.

In the House, Ordered That there be sum^{o} sent for the 5 members that are wanting to app^{r} at 10 th' clock tomorrow.

The House adjourn'd to the 24th curr^{t} A. M.

Wednesday Feby 24th A. D. 1741— A. M. The House met.

Jabez Smiths Petition Read & heard by his Council & the House having considered thereof, Voted, y^{t} ye Pet^{n} be Dismist.

A vote past for additional Excise — past into an Act.

John Shackford's Pet^{n} read & voted to serve the Selectmen of Newington.

P. M. Several members wanting, the House adjourn'd to the 25th curr^{t}.

Thursday, Feb. 25th A. D. 1741— A. M. The House met.

A vote past for paym^{t} the Revd Joseph Whipple of Hampton Falls, £20 for the use of his House &c. when the Ass^{m} sat there. His Excell^{y} sent the Instructions desired by the House, Entred in ye beginning of this Book (1).

P. M. Canterbury Petition Read & voted as on the Petition.

[P. 631.] A vote allowing Elez. Russells acct. in full £7 : to ye 20th Feby 1741–. Allowed Wm. Ayers £5, for carrying Proclam^{a}.

In the House &c. Voted That the Treasurer is hereby fully Impower'd to sell the Land within mentioned to the highest Bidder by publ^{k} Vendue, And to give a Deed or Deeds for the same, & the sale thereof is hereby warranted good, and that an act be drawn up accordingly & a copy of the Execution as Return'd be got in order to Draw the act, Entred on the Back of the Sherrifs return of Vaughan's Land.

The House Adjourn'd to the 26th curr^{t} A. M.

Fryday Feby 26th A. D. 1741—, A. M. the House met.

A vote Past for Proportioning the Towns, past & assented to.

P. M. Upon Reading Mr Saml Palmers letter to be Dismiss'd, Voted That at his request he is Dism^{d} & That a precept be sent to the select men of Hampton to make choice of another in his Roome.

The House adjourn'd to the 27th curr^{t}.

Saturday, Feby 27th A. D. 1741— A. M. the House met.

An order sent to the Hansons to appear &c. Another to John Plaisted, Esq. to appeare ab't the £5384. Canterbury Petition voted on & sent up.

Then the House adjourn'd to March the first 1741–2.

(1) The Instructions referred to are identically those given to Gov. Belcher, which see Vol. IV., pp. 535.—Ed.

[Met and adjourned.]

Tuesday March the *second*, A. D. 1741 — A. M. the House met. A Mess[a] came that the Council had Past on the vote for selling Vaughans Land.

P. M. Mr. Blunt (1) came into the House and prayed he might be heard on an old accompt he had ag[t] the Province; there not being a House, It was put off for further consideration.

[P. 632.] The House adjourn'd to the 3[d] March curr[t].

Wednesday, March the 3[d] A..D. 1741—. The House met.

The Sherrif made return that Mr. Thos. Elkins was chosen a Representative for the town of Hampton.

Mr. Atkinson bro't a Written Mess[a] from his Excell[y], gave it Mr. Speaker & return'd. The Message read & is on file.

Message of Gov. Wentworth, 3 *March*, 1741–2.

[Copied from MS. "Gov[rs] Messages," in Secretary's office, p. 231.]

Gentlemen of the Assembly

On the 13th of Jan[y] last I met the Generall Assembly, and tho' from the uncertainty of the weather and difficulty of the season, you have met with some interruptions, yet you have had sufficient time to do the weighty and important affaires of this Session, I mean settling a Publick Revenue for the support of his Majesties Government, which hitherto you have not made one effectual advance towards. The conduct of the Assembly on this occasion is the more surprizing to me, since you have had recent instances of his most Sacred Majesty's Paternal care of his subjects in this Province, you have had the most distinguishing marks of the Royal favours confer'd on you, and you have had from me, the way paved out, to obtain greater and more lasting advantages and if from an absolute refusall to obey the Kings Commands convey'd to you by his Governor, you manifest your ingratitude for past favours, you will forfeit your right, or put it out of my power to ask what you so much stand in need of in future, & the bad consequences attending your disobedience must rest on you as well as the evils, which must necessarily follow, and you will stand wholly chargeable therewith.

Gentlemen, Be assured on this point (and don't suffer yourselves to be deluded or misguided) that you are contending with the Crown, and not with the Governor, and that your non-complyance with my request as the Kings Representative, will be Esteemed by his Majesty as the highest act of disobedience, and therefore if you are religiously inclined, you will think it your duty to obey your Sovereign; if you are disposed to peace, you will pursue the things that tend to peace, and if you are friends to your Country, you will guard against the evils that threaten her destruction.

B. WENTWORTH.

Portsm[o] March 3[d] 1741-2.

P. M.

Rochester Act Read

An act for Proportioning the Settlements on the North of the Mass[a] Line &c. past to be Enacted.

(1) Rev. John Blunt was minister at New Castle.—ED.

Messrs Todd & Walton paid their 5s fine for being absent this afternoon without leave.

The House adjourn'd to the 4th curr^t.

Thursday, March the 4th A. D. 1741—. The House met.

Capt. Walker's Petition ab^t Vaughan's Land read.

Mr. Thos Elkins took the oaths app^d to Quallify him.

P. M. The Hansons app^d & said they were ready to pay ye money if the Entaile upon the Land was taken off.

The House adjourn'd to the 5th curr^t.

Fryday Mar. 5th A. D. 1741–2 A. M. The House met.

The House debated about settling the Sallary.

A vote past ab^t the sum for Sallary, But not acted further.

P. M.

Barrington & Mr. Blunt's Petition read.

The House adjourn'd to the 6th curr^t.

Saturday March the 6th A. D. 1741–2, A. M. The House met.

A written Mess^a from his Excell^y ab^t the Sallary read & is on file, & 2 votes return'd ab^t the Sallary with the Mess^a.

A vote for Additional Excise sent up.

The House adjourn'd to Monday the 8th curr^t.

[P. 633.] [Met & Adjourn'd to]

Tuesday, March the 9th A. D. 1741—, A. M.

A written Mess^a from his Excell^y sent down ab^t the Sallary and Read, as on file & 2 votes ab^t the Sallary Return'd.

Message of Gov. Wentworth, March 9th 1741–2.

[Copied from MS. "Gov^rs Messages," in Secretary's office, p. 235.]

Gentlemen of the Assembly

Your votes of the 6th Instant regarding the Revenue you intend for my support is far short of my expectations and so full of uncertaintys, that I would recommend it to your further consideration, hopeing you will Judge impartially on the affaire which more nearly concerns you, as the representative body of the People, than it do me. In both your votes I only desire such amendments as will be for your honour, and render them clear and intelligible to those that will Judge more clearly of their perfection than I can pretend to.

You will observe that the £6000 to be Emitted is for the support of Government, and it will appear very strange in the eyes of the ministry, that I should sign an Act for that sum wherein you have only made provision for £250 for my support, which is all that you certainly can depend upon, and which no Gentlemen in the House can think an Honourable Support.

In the £25,000 vote, you likewise provide for my further support £250 more, which I hope you will likewise reconsider, and make a reasonable addition to, either in one or both, as you shall Judge most convenient: For if I should obtain the £25,000 it will be a certain revenue to the Government of £1500 pr Annum, and out of both these bills, I hope you will think it reasonable and Just I should be Honourably supported, and if you equally divide the whole sum upon the two bills, it will appeare that you have done what you were able, and will manifest your disposition to do more if it was in your power, all which may be effected without laying any burden on the people which I am far from desireing.

B. Wentworth.

Portsmouth, March 9th 1741-2.

A Petn of the Inhabitants of Gosper read. Mr. Shackford's Petition sent down for heareing Wm. Vaughan's Petition sent down.

P. M.

The Gosper People heard by the Council, & after considera, Voted to be dismiss'd.

The House adjourn'd to the 10th currt.

Wednesday March the 10th A. D. 1741—, A. M. The House met.

Elisha Plaisted Petition sent Down.

In the House, Voted that a Messa be sent to his Excelly in answer to his Excellys Messa of the 9th currt.

May it please your Excelly,

We have seriously considered & with great deliberation have weighed what your Excelly is pleased to observe to us with respect to your Sallary, and find that upon the whole, considering the distressing circumstances of our Constituants, we cannot proceed to grant any further allowance to your Excelly as a Sallary than what is mentioned in the votes herewith sent and therefore pray your Excellys acceptance thereof, agreeable as mentioned in the said votes that so we may proceed upon Business.

J. Jeffry, Clcr. Assm

Sent up with the vote that was return'd of the 6th currt & 1 of this day.

P. M. Elisha Plaisted came and gave his & Mark H. Wentworths Bond for the paymt of £83 : 10 : 8 Due from his Father 15 May next, the Bond put into the Speaker's hands.

Plaisted's Petition for a new survey granted with liberty to Bring in his Bill.

[p. 634.] Shackford heard on his Petition and voted the Prayer of the Petition be granted.

The House adjourn'd to the 11th currt.

Thursday March the 11th A. D. 1741–2, A. M. The House met.

Mr. Atkinson bro't a Messa from his Excelly & read it, & left it which was read in the House as on file.

His Excellency's Message.

[Copied from MS. "Govrs Messages," in Secretary's office, p. 237.]

Gentlemen of the Assembly

Your Message of the 10th I have given its due consideration, in which you are pleased to say that considering the distressing circumstances of the people (which I assure you I have a great regard to) you are not able to make any further allowance, and since that is your determination, you will think it reasonable to make your votes clear, so as not to admit of any doubt and that the sums therein mentioned, if you don't think proper to make any addition thereto, may be fixed on me during my administration, as it will be much easier to alter votes than long acts.

The great dispute with me is whether if I should consent to the present votes and they pass to be enacted, whether the King will think his Instruction has due obedience paid to it. That is, Whether the sums contained in the Acts will be esteemed a competent Salary for the support of the King's Governor. If you think it will, I shall the more readily come into it.

You must observe that the £6000, I have the kings leave to issue for the support of Governmt only, is by your vote wholy wrested out of my power, & that I think you ought in some shape or other to make some provision for me out of that mony at least for the present.

What I desire is that you may make the necessary alterations in the votes by which the Act is to be drawn, If you don't think it just to make any addition, especially if you consider that the Grants you make me will be paid without any tax on the people & they will have an overpluss if the bill succeeds for other purposes, so that on that account you can have no complaint I have sent down pr Mr. Atkinson the votes, with the Message, which he will wait the doing of & return to me;— your complyance will put a speedy end to the session & be a means of making the Province easy & happy.

B. Wentworth.

Portsmouth, 11th March, 1741–2.

Upon Elisha Plaisted giving the Bond as abovesaid,

Voted, That John Plaisted, Esq be discharged from all demands as Trustee for exchanging the old Cypher'd money.

Samuel Graves Petition read.

P. M. Mr. Blunt was heard on his Petition by Council.

Mr. Wm. Vaughan was heard on his Petition by his Council.

Voted, That Messrs James Clarkson & Hunking Wentworth be a Comittee of this House to joyn such as the Council shall appoint to Enquire into the claims and accompts of Wm. Vaughan on acct of what due to his father George Vaughan, Esq. while he was Lent Governor and also to Enquire why the former Assembly's did not answer the said Geo. Vaughan in his life time; and make Report of their doings to the Genl Assm next Sessions of the Genl Assembly.

Then the House adjourn'd to the 12th currt.

Fryday March the 12th A. D. 1741—. The House met.

Voted, That Ebenezer Stephens, Esq. be a Comittee of this House to joyn such as the Council shall appoint to call the first meeting of the Inhabitants of the new Districts & to Govern the same.

Barrington Petition read and voted part of it Granted as on the petition, and the Petitioners have liberty to bring in yr Bill.

Voted, That Major Peter Gillman, Messrs Jotham Odiorn & Thos Packer be a comittee of this House to waite on his Excelly to know if he accepts the votes of this House relating to His Sallary.

[p. 635.] P. M. Mr. Atkinson came with a Messa from his Excelly wth the vote of the House on yt pt of ye Sallary that was to come out of the Interest of the £25000 to reconsider the same.

[This Message is not found on record.]

A new order to the Execrs or Admrs of the late Revd Mr. Thomson of Londonderry to appear &c.

A new vote on Shackford's Petition made

The House adjourn'd to the 13th currt.

Saturday, March the 13th A. D 1741— A. M. The House met.

Voted That on condition his Excelly accept the votes for his Sallary, then to be presented with one hundred twenty-five pounds in Bills Equal to Proclamation money, out of the six thousand pounds now to be made.

Several votes Past on Mr. Blunts affaire as on file none being concurr'd above.

In the House of Representatives, Mar. 13th 1741—.

Whereas the sum of £6000 in Bills of Credit Equal to Proclamation Money that is to be emitted for the service of this Governmt will help as to the discharging of our present Debts, yet it will be utterly insufficient to repaire his Majties Fort Wm & Mary, Build Block Houses & sundry other things that will be of absolute necessity for the present defence of his Majties Governmt, having a large Frontier to defend besides the carrying on the settlemt thereof, And altho' this House would be willing to give a more Honble support to his Majties Governor than our present circumstances will admit of and are utterly unable to do unless his Majestie will be pleased gratiously to condescend to a further Emission of Paper Currency not exceeding £25,000 in bills of credit equal to Proclamation money:

[p. 636.] Wherefore Voted, That there be a Bill bro't in with a suspending clause therein deferring carrying the same into Execution until his Majties pleasure be had thereon, so that if his Excelly. shall obtain his Majties Royal Assent for the Emission of

£25,000 in Bills of Credit Equal to Proclamation money to be let out in the several Towns in Proportion for ten years at the Rate of six pr ct pr Annum, and that the Interest arising therefrom shall be granted to his Maj^{tie} for and towards the support and defence of the Province as shall be Provided for by the Genl Assembly in the Act:

And Whereas from the distressing circumstances the Inhabitants are at present in, the assembly can't without oppressing their constituants Grant to his Excell^{y} a sallary Equal to support the dignity of his office, in conformity to his Maj^{ties} Instructions, unless his Maj^{tie} is pleased to give his Royal assent that this Bill shall be carried into Execution,

Therefore, That his Excell^{y} may be more Hon^{bly} supported than it has been in our power to provide for before,

Voted, That out of the Interest arising from the £25,000 aforesaid, as soon as so much shall become due, there be paid to his Excell^{y} Benning Wentworth, Esq. Governor & Comander-in-Chief &c. the sum of £250 in Bills of Credit equal to Proclamation money as sallary for his further and ample support as Govern^{r} to be paid annually as it becomes due & to comence the 12th of X^{br} 1741, and to abide & remaine during the continuance of the said act of £25,000 & that a bill be drawn up according.

J. Jeffry Cler Ass^{m}.

[p. 637.] A vote past appointing Mr. Stephens, Jennes and Walton to call the first meetings of the new districts & to govern the same, and that they be paid each of them 25s pr day out of the Treasury. An act afterw^{d} made.

The House adjourned to Monday the 11th curr^{t} 11 o'clock.

[Met & adjourned to Tuesday, Mar. 16th—and again to]

Wednesday, March 17th A. D. 1741—. The House met.

Voted, That the following Mess^{a} be sent to the Council, viz. To know if they have past on the grant to his Excell^{y} and what is done on the other Acts sent up, for the House cannot proceed to make up a supply Bill until those grants and accompts are past upon.

Benj^{a} Akerman allow'd Express money, £4: 10s.

In Council Mar. 17th 1741—

That a Bill be presented in addition to the Act Entituled an act for granting unto his Maj^{tie} an Excise on several Liquors, in wch shall be granted to his Maj^{tie} an additional Excise for the space of three years from the 15th May next, which addition shall be 4*d* to be p^{d} by the Taverners & 6*d* for the Retailers for each Gall^{n} of Wine, Rum & other spirits which they shall sell & the addition for Perry & Cyder shall be 12*d* pr bbl, the Excise to be paid in

Bills according to their present vallue, or other Bills equal thereto & that the Penalties be doubled in the said additional act, & continued double during the continuance of the s^{d} add^{l} act & no longer.

R. Waldron, Sec^{y}.

P. M. In the House &c. the above vote of Council Read & non concurr'd unan^{i} & sent up.

Capt. Wallensford had liberty to be absent on Extraordinary Business.

[P. 638.] Two Petitions for & agst the new Parrish in Ex^{r} Read & voted to be heard the 3^{d} day of the next sessions.

The House adjourn'd to the 18th curr^{t}.

Thursday March the 18th A. D. 1741—, A. M. the House met.

A Petition of Salathiel Denbo for a Pension read & Voted, That there be paid the said Salathiel Denbow out of the Publick Treasury the sum of twenty five pounds for and as a pension for the five years past and five pounds pr annum for three years to come, if he lives so long.

J. Jeffry, Cler. Ass^{m}.

The Act for Proportioning the additional Settlements sent up.

The Petition ab^{t} the Rev. Mr. Thomas [Tomson's] estate Read & parties heard and voted as on the Petition.

Canterbury Act past & sent up.

A Mess^{a} pr Mr. Atkinson That the Council had past on the Grants made to his Excell^{y} & y^{t} he had assented to it.

A vote past for paying each member of the Council 3*s.* 9*d.* & each Representative 3*s* pr day while sitting in the Ass^{m} new Tenor, viz.

In the House of Representatives, Mar. 18, 1741—

Voted, That there be paid to each one of his Maj^{ties} Council for every day of their sitting in Genl Ass^{m} the sum of three shillings & nine pence in Bills of credit of a new Tenor proposed to be made equal to Proclamation money. And to Each Representative while sitting in Genl Assembly three shillings of the like Bills from the first day of the present sessions & that sum both to Council & Ass^{m} to be in full for each days service as aforesaid. The Councillors and Representatives to be paid out of the Publick Treasury, The Councillors by Certificate from the Sec^{y} & the Represent^{s} on Cer^{t} from ye Cler. Ass^{m} any Law, usage or custome to the contrary notwithstanding.

J. Jeffry, Cler. Ass^{m}.

[P. 639.] The House adjourn'd to the 19th currt.

Fryday March 19th A. D. 1741—, A. M. the House met.

In the House of Representatives. Whereas there has been some disputes about the Commissioners in the Treasurers accompts formerly, And for preventing any such for the future,

Voted, That the Treasurer for the Time being for ye future be allowed and paid out of the Treasury of the Province for three years from the 25th of March currt for his service as Treasur, and no more, the sum of Fifty Pounds pr annum in Bills of Credit equal to Proclamation money.

J. Jeffry, Cler. Assm.

Eodm Die. In the House of Representatives, Voted the 13th That his Excelly be presented with the sum of £125 Bills of Credit out of the six thousand Pounds now to be Emitted equal to Proclamation money. Sent up.

Voted That there be paid out of the Publick Treasury to Theo. Atkinson, Esq. for his Journeys to Boston, abt the affaire of the Lines, his attending & pleading before the Comissrs at Hampton, two journeys to York abt the counterfeit Bills of Credit of this Province, the sum of twenty-five Pounds in Bills of Credit equal to Proclamation money, in full for said services. Sent up.

Robt Boyce Esq. Petition for sale of minors Land Read & Dismiss'd.

Abigal Briard Petition read & granted.

P. M. A vote for Messrs Clarkson & Gillman to draw up acts.

The Hanson Bro't in their money and paid it in the House & Voted that Maul Hanson, Jona. Hanson & Vincent Farr are hereby discharged of & from all demands of the Government for or concerning the £200 Borrowed by Richd Gerrish, Esq.

[p. 640.] A Petition from Maul & Jona Hanson for Docking an Entaile on the aforesaid Land they paid the money for. Read & voted the Prayer of the Petin be granted & leave to Bring in a Bill accordingly.

The House adjourn'd to the 20th currt.

Saturday March 20th A. D. 1741—, A. M. the House met.

Voted, That Geo. Jaffrey & Jotham Odiorne Esqs. be allowed & paid out of the Publick Treasury so much as will make ym equal to the other Councillors for their attendance on the affaire of the Lines at Hampton.

The Memo of the Judges of the Supr Court read & voted that there be paid them & others in the Memoriall the sum of £75 : 15 : 3.

A vote past for lodging the Commisrs Court Papers with the Clerk of the Assm, past, but non-concurr'd at the Board.

The Hansons Bill Bro't in read & past to be Enacted.

That and the Judges &c. allowance, sent up.

A vote past for £72 to be paid the Town of New Castle in full for w^t they claim'd by a vote of Genl Ass^m 28th May 1720.

The House adjourn^d to Monday the 22^d curr^t.

[Met & adjourned to]

Tuesday, March the 23^d, 1741—.

In the House of Represen^ts Voted, That Messrs Thomas Packer & Jotham Odiorn be a Comittee of this House to joyne such as the Honble the Council shall appoint to make up & settle the accompts of the charge of the Comission & of the Commiss^rs & [P. 641.] other charges on the settlem^t of the Boundary Lines according to his Majesties Judgm^t & final determination in Council, and to receive all such sum and sums of money as are due, and upon Receipts, Legall acquittances & discharges to give in behalf of the Government of New hampshire, & what money they receive to be put into the Treasury, & there to lye until it be ordered out by the Genl Assembly. (1)

J. Jeffrey, Clcr. Ass^m

New Castle vote & Bill sent up. No further acting on it.

A vote for a Comittee to apprize the Species.

Capt. Walker's Petit^n & vote all sent up.

P. M. The Treasury Bill & Denbow's Pension concurr'd above.

Mrs. Abigal Briards Bill & Londonderry Bill bro't & read.

Voted, That Mr. Thomas Packer be a Comittee of this House to joyn such as the Honble the Council shall appoint to demand all the old Plates that Bills of Credit has been struck of from and bring the same Plates into the Genl Assembly that they may be disposed of or deposited in some safe hands as the Genl Ass^m shall order. Sent up.

The House adjourn'd to the 24th curr^t.

Wednesday, March the 24th A. D. 1741—A. M. The House met.

An additional part added to the vote of 23^d curr^t for Messrs Packer & Odiorn &c. to accompt with the Mass^a &c. viz. add—And his Excel^y is hereby desiered to write to and recomend the affaire thereof to his Excell^y Gov. Sherly earnestly to expedite the same. Sent up.

Eod^m Die. Richard Wibird, Esq. bro't down the same Vote with the concurrence of the Council thereon, viz.

In Council, Mar. 24th 1741. The above vote read & concurr'd & Voted That Geo. Jaffrey & Theo. Atkinson, Esqs. be a Comit-

(1) See further vote on Wednesday, 24th current.—Ed.

tee from the Board to joyne the Comittee of the House in the affaire afores^{d} any 3 to be a Quorum.

Theo. Atkinson, Sec^{y}.

In the House Read & Concurr'd

J. Jeffry Cler. Ass^{m}.

[P. 642.] P. M. Hanson's Bill for Docking an Entaile on Gerrish's Land they Bo't. Sent up.

Voted, That the Inhabitants of this Prov: for their Province Tax for the yeare 1742, have liberty to pay the same to the Consta^{bls} or Collectors that shall be impowered to receive the same, in Bills of Credit of this Province of a new Tenor to be Emitted this Sessions equal to silver at 6s. 8d pr. oz. And that the several constables & collectors in the several Towns & Districts in this Province may receive the said Province Tax in the aforesaid Bills of this Province or of the Mass^{a} Bills, aforesaid, And that one shilling in any of the said new Tenor Bills shall be equal to fower shillings old Tenour Bills of this Province, & so in proportion to a greater or lesser sum they shall receive, And that the Treasurer shall receive the aforesaid Bills of the said Constables or Collectors at the Rates as aforesaid, and that the aforesaid Bills when Bro't into the Treasury shall be for a Fund for the Exchanging of the old Tenor Bills of this Province, And that the Treasurer shall Exchange the New Tenor Bills at the Rates aforesaid for the old Ten^{r} Bills of this Province in order to be burnt. And the Treasurer when he shall make out his Warrants for the Province Tax aforesaid, shall make out his Warrants accordingly.

James Jeffrey Cler. Ass^{m}

Concurr'd above ye 26th & *As'en^{d}* to April 2^{d}.

A vote for £100 to Excell^{y} for House rent, sent up, But return'd.

The House adjourn'd to the 25th curr^{t}.

[P. 643.] Thursday, March 25th A. D. 1742, A. M. The House met.

Voted That the Towns of Chester, Rochester & Nottingham & Barrington be ordered to bring in their accounts of their Rateable Estates in the same manner as the other Towns do in order for their being Bro't into the new Proportion.

P. M. Capt. Walker & Mr. Vaughan were heard & the affaire of the Entaile on s^{d} Vaughan's Estate & the Heirs apparent were heard. The Prayer of the Petition granted & leave for a Bill.

The House adjourn'd to the 26th curr^{t}.

Fryday, Mar. 26th A. D. 1742, A. M. The House met

A vote past to pay 40s Proclam^n mony pr annum to New Castle, But not ended.

P. M. The Additional Excise Act Read 3 times & past to be Enacted & sent up.

The House adjournd to the 27th curr^t.

Saturday March 27th A. D. 1742, A. M. The House met.

In the House of Representatives.

Whereas John Thomlinson of London, Esq. having for many years past had the care & charge of all the affairs of this Province at the Court of Great Brittaine, which he hath ever mannaged with the greatest prudence & success, Wherefore Voted, That the said John Thomlinson have the thanks of this Goverm^t for the unwearied Paines & Difficulties he hath been at, in Prosecuting & Defending our cause at the several Boards in Great Brittaine, and that as Instance of our Great regard for his p'son & services, Voted that there be remitted him the sum of £100 sterling, which he is hereby desiered to accept as an acknowlidgm^t of our obligations to him till we shall be able to make a more ample reward & [p. 644.] that Messrs. Thos Packer & Jotham Odiorn be a Comittee to draw the same out of the Treasury and Purchase a Bill of Exchange in Sterling money as soon as the Treasury shall be supplied and remitt it to him.

James Jeffrey, Cler. Ass^m.

In the House of Representatives, Mar. 26th 1742.

Voted That John Thomlinson of London in Great Brittaine, Esq. be desiered to continue Agent for this Province, And he is hereby constituted and appointed Agent of this Province at the Court of Great Brittaine in all affairs that concerns the Province of New hampshire from time to time, as any thing may offer & he may have advice to Prosecute any affaire at any time. Sent up.

James Jeffrey, Cler. Ass^m

An Act for settling £250 Proclamation money for his Excell^ys Sallary Read 3 times and past to be Enacted.

Voted, That there be paid out of the Publick Treasury the sum of twenty pounds to the Comittee appointed to call the first meetings in the new Precincts added to the Goverm^t towards their pay.

The Act for paying Taxes in our & Mass^a Bills read 3 times & past to be enacted.

An Act for putting the Money raised by Excise (above 250£ granted his Excellency) into the Treasury.

An Act to ascertaine the value of money Read 3 times and past to be enacted.

The Treasury Bill read 3 times and past to be Enacted & Engross'd. All the above sent up.

Voted That the Comittee for signing & Imprinting the £4220 that is to be Emitted this Sessions in the supply Bill have power [p. 645.] to strike of & Imprint £1280 besides what is to be Emitted this Sessions 1–4 part on the small Plate and 3–4 pts on the large Plate and that they put the said sum of £1280 Blank into the Treasury, taking the Treasurer's rec^t for the same & that it lye Blank there till otherwise ordered by the Genl Ass^m.

Voted, That Mr. Hunking Wentworth be a Comittee of this House to joyne with such as the Honble the Council shall app^t to see the Repaire of the Prison done the cheapest they can.

Voted That Messrs Peter Gillman, Jotham Odiorne & Mr. Hunking Wentworth be a Comittee of this House to joyne such as the Honble the Council shall appoint to ascertaine the vallue of money & Exch^a for *chancering* the vallue of the bills of Credit.

Mr. Sec^y came into the House & said that his Excell^y had Ordered him to adjourn the Genl Ass^m to Tuesday next, and then Declared the Ass^m adjourn'd accordingly.

Tuesday March the 30th A. D. 1742, A. M. The House met.

[Adj. to] Wednesday, Mar. 31st.

Doctor Natt Rogers, Eleazer Russel & Benj^a Gambling as agents for the Proprietors of Nottingham came into the House & shew'd their power as delegates And made a motion that they might be heard on some affaire of the Proprietors. There not being time to heare them, Ordered that they may be heard next Sessions.

P. M. In the House of Representatives.

Voted That his Excell^y draw the sum of one hundred pounds [p. 646.] out of the money now in the Treasury, the said sum to be for his Excell^ys use to Hire a House to live in for the yeare 1742, to comence from the 25th of March curr^t.

James Jeffrey, Cler. Ass^m.

The House adjourn'd to the first of April, 1742.

Thursday Aprill the 1st A. D. 1742, A. M. The House met.

The Comittee that were appointed to get the Plates that were formerly used for striking Bills of Credit, Bro't in four Plates for Printing or Stamping Bills & one Cypher'd Back Plate.

In the House of Representatives

Voted, That the said Plates & six Blank Sheets of Bills be committed to the care of the Treasurer for the time being and he

to be on oath for the safe keeping them till further [order] of the Genl Ass^{m}. The Plates & Bills carryed up to the Council pr. Mr. Clarkson.

Barrington Bill past, Elisha Plaisted Bill past, James Jeffrey Petition for pay for Draught granted.

Voted, That the Council be paid the sum of twenty one pounds five shillings out of the money in the supply Bill for paying contingencies and that this £21: 5: to be in full of what they say was not accompted for in their paym^{t} in the yeare 1737, by a mistake in the Secretarys Certificate.

Voted, That James Clarkson be paid three pounds out of the Treasury of the money that is there being so much he paid the Sec^{y} for two Seals of the Province in the yeare 1741, being for the Province affaire.

A vote for paying Sha^{d} Walton, Geo. Jaffrey & Jotham Odiorn, Esqs. twenty shillings New Tenor to make them Equal wth the other councellors.

[p. 647.] P. M. Mr. Sec^{y} came with the Mess^{n} that the Council had past upon the Treasury Bill, The Equity Bill, The Act ab^{t} constables & collectors receiving any of our Bills & Mass^{n} Bills for Taxes for 1742, The act for two hundred and fifty Pounds new Tenor for his Excell^{ys} Sallary, and the Additional Excise Act.

The House Adjourn'd to the 2^{d} curr^{t}.

Fryday, April the 2^{d} A. D. 1742, A. M. the House met.

Voted, That Messrs Thomas Packer, John Gage, Samuel Gilman & Clement Jackson be a Comittee of this House to joyne such as the Honble the Council shall app^{t} to be Trustees for the mannaging the Twenty five thousand pounds Loan now proposed to be made according to the act to be made this Sessions. The Trustees Bonds to be for thirty Thousand pounds joynt & several.

Capt. Walker's Bill for Docking an Entaile on the Mortgage of some Lands from Mr. William Vaughan Past to be Enacted, with a saving clause not to be put into Execution till his Maj^{ties} Pleasure is known thereon. Sent up.

[*The following letter to John Thomlinson, Esq., probably written by Theo. Atkinson, throws light on the above matter.*]

[Copied from MS. Corr., "Belknap Papers," p. 112.]

Portsmouth, May 26, 1742.

Sir — "Better hands than mine give you the State of Public affairs. You have a long letter from Gov. Wentworth, therefore nothing I hope will be expected from me. You will give me leave to recomend a packet of Papers from Capt. Walker with a power to use your Endeavours in getting his Maj^{ties} assent to an act passed here in his favour abt an Explanation of Col.

Vaughan's Will—he, poor Gent[m] was Led into the Scrape by Mr. Wm. Vaughan & hath paid dearly for it. The Papers will speak for themselves, only observe there was an appeal granted from the Sup[r] Court of Judicature to the Gov[r] & Council where he had judgment ag[st] him for the money, *but the Sec'ys house being burnt & all records &c. consumed*, no copys could be obtained, but an Execution was Issued, & I, when Sherriff served it upon Capt. Walker & got the money & paid Mr. Weeks & Apthorp. After this the Land was Delivered to Capt. Walker by Mr. Wm. Vaughan & when Capt. Walker was about to sell some of the Land it was suggested that the Premises was Intailed, so no purchaser appeared. Capt. Walker Petitioned the Gen[l] Court in Gov. Burnetts day as you'l see by a Copy from the Clerk of the Assembly, but he dying soon after put a stop to the proceedings. *Gov. Belcher was brother to Col. Vaughan, whose first wife was Gov. Belcher's sister.* This together with a little personall disagreem[t] Mr. Walker being of the Assembly & not exactly suiting the Gov[r] prevented his renewing his Petition till Gov. Wentworth came. You'l see there were several hearings & notifications &c. so that the matter was not suddenly Don. He desires your interest in this affaire & will reimburse any charge you please to make for which I'll be answerable & will upon your sending the acc[t] remit the money."

. . . . . .

Voted, That Mr. Speaker Wiggin, James Clarkson, Esq & Mr. Hunking Wentworth be a Comittee of this House to joyne such as the Hon[ble] the Council shall app[t] to signe off the twenty five thousand pounds proposed to be made for a Loan according to an act to be made this Sessions,—the Signers Bonds two thousand five hundred pounds joynt & several. Sent up.

Whereas there will be money wanting to Buy Plates, Paper & Ink & Expence to go to Boston to get the same for the Printing of the six thousand Pounds now to be struck off, Voted, that there be paid the Comittee that are app[d] to see the doing of that affaire the sum of fifty Pounds out of the Publick Treasury for that end, for w[ch] sum they are to render an accompt to the Gen[l] Ass[m]. Sent up.

[p. 648.] P. M. Mr. Secretary came with the New Castle act & said the Council could not pass upon it for the contradictions that was in it.

The House adjourn'd to the 3[d] curr[t].

Saturday April the 3[d] A. D. 1742, A. M. The House met.

The Act for the £25000 Lone read 3 times & past to be Enacted.

Mem[o]. There was burnt of the Hanson's money £155: 10. Pd. for Exch[a] £156; at 1 pr. ct, to Jotham Odiorn, £7: 16, there was £62: 18 in Mr. Hunking Wentworths hand to acc[t] for.

P. M. Mr. Sec[y] came with a Mess[a] from the Council, viz. That in regard of the Comittee for seeing the Repaire of the Fort in the £25000 Loan bill, that these words be incerted viz. Saving only the Prerogative of the Crown: which was put to vote, Whether it should be incerted or not. It past in the negative.

Allowed Mr. Wm. Parker twelve pounds old Tenor for drawing Acts this sessions & some Dra^{ts} at Hampton on the affaire of the Line, or three Pounds new Tenor. Dr. Mathew Livermore Esq. for Draughts this session £16 old Tenor or four Pounds new Tenor.

Mr. Secretary came with a Mess^{a} from his Excell^{y}, viz. That his Excell^{y} Required the attendance of the House at the Council Chamber (at his house) Mr. Speaker & the House went accor^{d} and, after his Excell^{y} had sign'd the several acts pass'd this Sessions, his Excell^{y} ordered the Secretary to Prorogue the Genl Ass^{m} to the 7th June next at 3 o'clock P. M.

Then Mr. Sec^{y} Declared the Genl Ass^{m} Prorogued accordingly.

[P. 649.] Tuesday June the 7th A. D. 1742. The House met according to Prorogation.

The House adjourn'd to the 8th curr^{t}.

Wednesday June the 8th A. D. 1742. The House met.

Mr. Sec^{y} came with a Mess^{a} from his Excell^{y} to know if there was a House met. The Speaker answered there was a House (1). Then Mr. Secretary said his Excell^{y} Required the attendance of the House in the Counsel Chamber.

Mr. Speaker & the House went up accordingly. His Excell^{y} made a Speech. Mr. Speaker prayed a Coppy & Returned. Mr. Sec^{y} Bro't the speech.

[As follows, copied from MS. "Govrs. Messages," in Secretary's office. p. 239.]

Gentlemen of the Council and Assembly

I have nothing immediately in Comand from his Majesty to lay before you at the opening of this Session, therefore you will be able to go through the weighty things that lay before you with greater dispatch.

Amongst which I would recommend to your consideration the Passing an Act to prevent persons selling rum to the Indians on the frontiers of the Province, more particularly unless such shall be licensed by authority, and under proper restraints:—should such an Act be neglected evil minded persons, inhabiting near the lines may by their ill treatment of these people create disputes of such a nature as must necessarily terminate in a war, which in our present situation is of the last consequence to avoid.

(1) [Names of members as entered in another record.]

Mr. Speaker Wiggin
James Clarkson, Esq.
Capt. Geo. Walker
Mr. Hunking Went.
Capt. Gage,
Capt. Wallensford
Mr. John Canney
Capt. Roby
Mr. Thos. Elkins
Mr. Jos. Tole
Saml. Gillman, Esq.
Peter Gillman, Esq
Jotham Odiorn,
Richd Jennes
Thomas Packer, Esq.
Mr. Geo. Walton
Ebenezer Stephens, Esq.
Mr. Israel Gillman
Mr. Jona. Thomson
Mr. Andrew Todd.

Gentlemen of the Assembly—

The Treasurer's Accounts remain unadjusted, there being a difficulty in some points with the Council which remains to be got over. It will be very agreeable to me that you consult proper measures to reconcile any doubts that have or may arise thereon, that I may be able to transmitt the accounts regularly and conformable to his Majesties Instructions.

Gentlemen of the Council and Assembly,

If you have laws useful or necessary for the community to project, you shall not want my concurrence therein, and as the time of yeare will not admit of a long session, from the multiplicity of business attending the season, I shall contribute all in my power to shorten it, and give you such a recess as will be most agreeable.

B. WENTWORTH.

Council Chamber, June 8th 1742.

Mr. Smith Bro't a letter from Adm^l Vernon to his Excell^y & left it. (1)

The several Towns and Precincts bro't in their List of Rates in order for making a new Proportion

The House adjourn'd to the 9th curr^t.

Thursday, June the 9th A. D. 1742. The House met.

Voted, That Messrs John Gage and Jotham Odiorn be a Committee of this House to answer his Excell^ys Speech as soon as they can, & present it to the House for acceptance.

P. M. Messrs. Parker & Livermore made a motion ab^t Regulating Fees on account of the Change of the Ten^r of the moneys taking place next September.

Ex^r South Parrish Petitioners were heard by their Council. The House adjourn'd to the 10th curr^t.

Fryday June the 10th A. D. 1742, A. M. the House met.

A Petition of Samuel & Nicholas Gillman, minors, Read & Voted, That the Prayer of the Petition be granted & leave to Bring in a Bill.

Dearborn & others Petition for a Road thro' Londonderry Read.

[P. 650.] A Petition of the north p^t of Hampton (Praying for a P'ish line) Read. Mr. Secretary Bro't his Excell^y Gov. Wentworths 61 & 74 Instructions which is on file.

P. M. Mr. Ingraham's Petition Read & Voted Dismist. Dearborn's & others Petition from North Hampton Read & to serve Hampton Select men with a Coppy &c. as on the Petition.

The House adjorn'd to the 11th curr^t.

(1) This letter not found.—ED.

June the 11th A. D. 1742, A. M. the House met.

The young Gillman's Bill read and past.

Mr. Secy came with a Messa ab't Printing of the Bills Blanck & putting them into the Treasury without a fund and that something should be done on the £500 blanck in the Treasury.

P. M. the House adjournd to the 12th curr't.

June the 12th A. D. 1742 the House met.

Mr. Secretary Bro't a Messa from his Excelly That the Assm would procure the accompts of the charges of the Lines from this Province Comittee, That his Excelly may write ab't it to the Govr of the Massachusetts.

A vote for a Comittee to be joyned to the Comittee for the £25000 loan, and an Act Drawn up in wch said Comittee is incerted.

Rowlins Petition Read and voted as on the Petition.

The Answer to his Excells speech read and sent up [as follows:]

[Copied from MS. "Govs Messages," p. 241.]

May it please your Excellencie

We the Representatives of his Majties Province of New Hampr met in Genll Assembly, taking notice of what your Excelly mentions in your Speech at the opening of this Sessions concerning the selling of Rum to Indians on the Frontiers of the Province, cannot but acknowledge with gratitude your early care to prevent what may be of such unhappy consequences to us, & shall take the matter into consideration.

We shall also be ready to do our part in order to the adjusting of the Treasurer's accompts & for the removall of whatever may be a just obstruction to it; & we shall likewise gladly joyne with your Excelly & his Majtys Councill in the Enacting such Laws as will make for the common good. And as we shall be ready to do every thing in our power that will be for his Majesties Honr and the Prosperity of the People whom we Represent, so we shall labour for yl dispatch in the weighty affairs that is now before us, or any thing else, which your Excelly is pleased to recomend.

Andrew Wiggin, Speaker.

Mr. Secretary by his Excellys order adjournd the Genl Assembly to the 21 curr't.

Monday June the 21st A. D. 1742, the House met.

Mr. Speaker Wiggin being sick, that he could not attend, the House proceeded to the choice of a speaker. Ebenezer Stephens, Esq. was chosen speaker, *pro tempore.*

[p. 651.] A Petition of Geo. Bean of Exeter Read setting forth that his House was burnt & in it the Deed of the Land (which was not Recorded) praying the Court to Enable the Widow of James Gorden (from whome he purchased the Land (as Admx) to give a Deed.

Joseph Rowlings Petition for a Rehearing of a case (after a Review) with the Heirs of Maj^{r} Wm. Vaughan, Read, & the Parties heard & Voted, That the Prayer of the Petition be granted & that he has Liberty to bring in a Bill & that Execution be stayed.

Voted, That Messrs Peter Gilman, H. Wentworth, Capt. Gage, Capt. Roby, Capt Saml Gilman & Jotham Odiorn be a Comittee of this House to examin the Invoices.

The House adjourn'd to the 22^{d} curr^{t}.

June 22^{d} the House met. Andrew Gilman & others Petition voted Dismissd.

The House adjourned to the 23^{d} curr^{t}.

June 23^{d} the House met. For the more equal Proportioning the Towns,

Voted, That every Head £18: all Lands 10s pr acre: a horse £3: an ox £3: a cow 40s: a 3 yeare old 30s: a 2 yeare old 20s: a yeare old 10s: swine 10s: a Double House two stories 40s: a single house of one Room & one story 10s: & so in Proportion for other Houses that are otherwise built.

A vote on the Petition of the South p'ish in Exeter for a Comittee & to make their Return next Sessions.

P. M. The House adjourn'd to the 24th curr^{t}.

June 24th. The House met.

Voted, That John Gage, Esq. be a Comittee of this House to joyne such as the Honble the Council shall appoint to receive from the Treasurer the £500 Blanck Bills of Credit in the Treasury & bring them in & Burn them in the face of the Genl Assembly.

[p. 652.] The Invoices of the several Towns & Genl Draught sent up.

P. M. The Comittee appointed to bring in the £500 blank Bills Bro't them in and they were Burnt.

Barrington Act read a third time & past to be enacted.

The House adjourned to the 25th curr^{t}.

June 25th—the House met.

Voted, That Peter Gilman, Esq. be appointed by the House to joyn such as the Honble the Council shall appoint to draw up an

Act for Proportioning the Towns for the Province Tax for the yeare 1742, and until a new Proportion is made, and that each Town or Precinct pay in Proportion to a £1000 as is carryed off in the last column of the within List.

P. M. Bean's Act read a 3d time & past to be Enacted.

Ingraham's & a Petition of the Inhabitants of [Hampton] Falls abt a Publick licensed House there both dismiss'd (1).

The House adjourn'd to the 26th currt.

June the 26th A. D. 1742. The House met.

An act for Limita off Fees read a 3d time & past to be Enacted. An act for new Proportioning the Towns &c. read a 3d time & past to be enacted. All sent up.

Voted, That Majr Peter Gillman be appointed to Joyn such as the Honble the Council shall appoint to sort the papers that now lie in the Recorders office (that do not belong there) & that they put the several papers into the proper office, with an alphabet wt they are & that they be paid out of ye Treasury.

Eodm Die. In Council, Read & Concurr'd with this amendmt. That the Papers above mentioned remaine in the custody of the Recordr where they now are & yt an Alphabet be return'd to the Genl Assm at their next Sessions in order to their being placed in the several offices as the Genl Assm shall order & that Wm. Parker be of the Comittee.

Theo. Atkinson, Secy.

Eodm Die. In the House read & concurr'd.

J. Jeffry, Cler. Assm.

[p. 653.] A vote sent up for Thomas Packer, Esq. to joyne one of the Honble the Council to adjust the Treasurer's accompts according to the vote of this House last sessions.

Eodm Die. Voted that the three Plates lately Engraved for the stamping of the sum of foure thousand seven hundred and twenty pounds, in conformity to the late act of this Governmt for the supply of the Treasury, be delivered to the Treasurer for the time being, taking his Rect for the same, to be put into a Box with three Locks, all different keys, one to be kept by the Treasurer, one by the Speaker of the House for the time being and one by the Secretary for the time being, until further order of the Genl Assembly.

P. M. Exeter Southwest Parrishes Bill for Establishing a Par-

(1) This record is more fully explained in a minute found in another place, viz.: "Moses Ingraham's Petition read & heard by Council. A Petition of sundry Inhabitants of Hampton Falls praying no House may be licensed by the Assm. Read. This was an answer to the above Ingraham. Voted, Whether the House will grant the Petition in any form. It past in the negative."—Ed.

rish by the name of Brentwood, read three times & past to be enacted. Sent up.

In the House of Representatives, June 26th, 1742.

Recd the three Plates (from which the new Bills of Credit of the Province of New hampshire was struck) for safe keeping at Treasurer of said Province, the same to be delivered the Genl Assembly when call'd for.

Copy of the Recl. George Jaffrey, Treasurer.

Ordered, That the signers of the new Bills of Credit of this Province do deliver the Blanck Bills now struck off and not now to be signed, to George Jaffrey, Esq. for safe keeping and to be delivered to the Assembly when called for, and that Mr. Jaffrey give a receipt for the number of Blancks recd.

The Assm Prorogued to the 14th 7br next.

NOTE BY THE EDITOR.

[The portion of the *Journal of the House* which follows, from September 14th, 1742, to October 15th, 1747, is copied from a MS. volume in the Secretary's office, labelled "Journal of the House, 1742–1747." It appears to be the original record, in some places much defaced and interlined. The pages in the margin correspond with those in the MS. Journal.]

[p. 29.] Sept. 14th 1742.

The House met according to adjournment [Prorogation] A Messn sent to Inform his Excellency there was a Quorum of the House p'sent.

Mr. Secy came into the House & said, Mr. Speaker, His Excelly Requires the attendance of the House in the Council Chamber, & returned.

Mr. Speaker & the House went up accordingly.

His Excelly made a Speech. Mr. Speaker pray'd a Copy & Returnd. Mr. Secretary Bro't the Speech & Left it to be coppyed & returnd.

The Speech read as followeth, viz.

Gent of the Council & Assembly

I had not met you in Genl Assm at this time when I am sensible your attendance on the approaching Harvest is necessary, had not the Imediate service of the Crown demanded it, & in a manner which gives you an op'tunity to show your obedience to your Sovereign in a most Essentiall point.

I am in dayly expectation of Capt. Winslows arrival to levy Recruits for the Army in the West Indies, under the command of Genl Wentworth whose letter I communicated to the Genl Assm the day it came to my hands. I shall on my part use my utmost dilligence to assist him, by making the proper & necessary dispositions of the Millitia for that purpose & by countenancing him in his progress thro' the Province, & I am confident, Gent, that on your

part you will Exert your selves on this occasion, and make it your first care to grant a premium to such as shall inlist themselves in his Maj^ties Serv. Equal if not exceeding what the neighboring Governments have done, which will be an Instance of your duty & gratitude and may further recomend you to his Maj^ties Special favor.

Genl you may at all times rely on my readyness to dispatch your publick concerns & when you have comply'd with my Request in w^t relates to the Crown (which I againe most seriously recomend you would give the greatest attention to) & gon thro' w^t the necessity of the publick requires, I shall adjourn you to a more convenient day.

BEN. WENTWORTH.

Council Chamber, Sept. 14th 1742.

[P. 30.] Voted, That James Clarkson and Samuel Gilman Esqs. & Mr. Jotham Odiorn be a Comittee of this House to draw an answer to his Excelly^s Speech & present it for accept^a as soon as may be.

Then the House adjournd to the 15th curr^t, A. M.

Wednesday, Sept. 15th A. M. A. D. 1742. The House met.

A Petition of Levit & Sanburn in behalf of some Inhab^s of Brentw^d.

The House adjourn'd for 2 hours P. M.

P. M. A Petition of Joseph Lock Bro't in — 3s. pd.

The House adjourn'd to the 16th curr^t A. M.

Thursday, Sept. 16th — The House met. Lock's Petition Read 2^d time & heard & ye King's attorney heard ag^st it & voted y^t ye Peti^rs serve Mr. Gorwood ye Excise Master & the King's Attorney with a copy of ye Peti^n & order thereon, to appear Tuesday next (if the Ass^m is sitting) if not y^n to app^r ye 3^d day of ye sitting of ye Genl Assembly next Sessions, to shew cause &c. & ye Execution be stayed in ye mean time. Sent up pr Tomson.

Brentwood Petition Read.

John Taylor's and others Petition read — nothing paid.

Voted, That Peter Gilman, John Gage & James Clarkson Esqs. be a Comittee of this House to draw up a Vote in order to make an Act relateing to fees & bring it the House for approbation.

Mr. Sec^y bro't the Blank Act about Fees, &c.

South Hampton Petition Bro't in & p^d. & voted y^t ye Select men of South Hampt^n be serv'd with a coppy & votes at the Petitioners cost to appeare ye 3^d day of sitting of Genl Ass^m next to shew cause &c. Sent up pr. Tomson.

Mr. Richd Perry made a motion to the House for his sons wages as a souldier at the Fort Wm & Mary, and for serving for 5 years to Mar. last. The House adjournd for two hours P. M.

P. M. The Comittee for a vote about Fees made their Report w^h was read. Mr. Sec^y Bro't Mr. Hilton's Petition that was preferd formerly and *what* was acted thereon, But it laine over a Prorog^n therefore to be now acted upon.

The Question put yea or nay Whether the vote of the Comittee ab't Fees be accepted — 14 yeas 3 nays, the nays Reason was that there should be a new Table of fees made now. It past in the affirm^n.

North Hill Petitioners and their Antagonists heard by their Council. The House adjournd to the 17th curr^t A. M.

Fryday Sept. 17th A. D. 1742, A. M. The House met. The vote for ye Act, Lim^t Fees read againe & voted to be sent up for Concur^r. Sent.

[P. 31.] Mr. Sec^y, R. Wibird, Esq. came into the House with the vote about the Limmitting Fees and said the Council could not concur by Reason of several Express^n in the preamble.

A vote past for a survey on Brentwood Petition & the like on North Hill Petition. Both sent up pr Capt. Stephens.

The House adjournd for two hours, P. M.

P. M. A vote for Regulating Fees past.

On Mr. Blunt's affaire — Voted That if Mr. Blunt accepts 40s pr annum new Tennour, instead of what was formerly allowed the ministry of New Castle pr annum, and give a Discharge for any other or greater Demand while he is minister of New Castle & Discharge on the receipt of £200 for all former dues, That then a vote pass for paym^t of two hundred pounds old Tenour.

The House adjourn'd to the 18th curr^t. A. M.

Saturday, Sept. 18th — The House met. A vote past for a Bounty of £5 to every able Bodyed man that shall Enlist for ye West Indies, as on file.

The answer to his Excelly^s Speech read —

[Copied from MS. "Gov^rs Messages," p. 243.]

May it Please your Excellencie

We the Representatives of his Majesties Province of New hampshire in General Aesembly conven'd, having maturely considered your Excellencies Speech, beg leave to make the following answer.

We thankfully acknowledge the kind notice your Excell^y is pleas'd to take in your Speech to us at the opening the Sessions of our needful attendance on the approaching Harvest and your unwillingness to call us togeather at this Busie Season, had not the immediate service of the Crown Required it.

As to what your Excellency is pleas'd to Recomend of giving proper Encouragement for the Levying Recruits for the Army in the West Indies under

the command of General Wentworth, whose letter to your Excellencie we have by your order been favoured with a sight of:

We beg leave to observe that when a proposal of this nature was laid before the Representatives of this Province in a former Administration (tho' the recommendation came so late to them, that many of our People had inlisted themselves in the other Province) A sufficient sum of money was readily voted, and lodged in the Treasury for that purpose. But no number of men appearing it was disposed of otherwayes.

However to shew our forwardness on this Head we have already Voted an ample Reward to a number that shall Inlist, and money for that purpose so soon as there shall be occasion for the same.

We doubt not of your Excellencies readyness to forward this affaire, and assure you that we shall not be wanting on our part, But shall in this and Every other Reguard chearfully comply with what Ever will be for his Maj^ties Hon^r and do all that can be Expected from the most dutiful and Loyal subjects.

And^w Wiggin, Speaker.

7^br the 18th 1742.

Mr. Sec^y Bro't the vote about Fees for amendm^t. By a verbal Mess^a the vote sent up ag^a without amendm^t with a verbal Mess^a in answ^r.

[p. 32.] Voted y^t the Comittee for farming the Excise 1742, be pd. six pounds old Tenor Bill.

Voted That Henry Sherburn be pd. £12: 10 old Tenn^r for Bookes for his office when Clark.

Mr. Sec^y came with a Mess^a & said they had concur'd with the vote about the Fees with something on the Mess^a sent.

A written Mess^a sent to his Excell^y in writing relating to fees, as on file.

Capt. Walkers & Moulton & others Petition read, not pd. Voted y^t— [serve] ye advers p'ty with a Coppy & to appeare ye 3^d day of next sitting to shew cause &c. & that Execu^n be stay'd in ye mean time. Sent up.

A message from his Excell^y as on fyle, requesting to draw his money before ye 12th X^br next.

Voted That provided there be in the Treasury any money of the Excise, that his Excell^y have liberty of drawing ye same out any time between this & ye 12th X^br as much as will compl^t his years salary, including w^t he has already rec^d. Sent up.

Mr. Atkinson bro't a vote from the Council relateing to the Excise Bond. Concurr^d with amendm^t (but to be borrowed to coppy) Sent up.

Mr. Wibird came into the House & said y^t he was to inquire if there was any Act ab't Blunt, if not the vote could not pass.

Mr. Sec^y came & adjourned the Genl Ass^m to the 16th 9^br next.

[p. 33.] November 16th 1742. The House met according to adjournment. The weather being very bad the Mem^s could not Com.

Mr. Sec^y came into the House and said his Excell^y had ordered

him to Adjourn the Gen[l] Assm. to the 17th curr[t] at 10 o'clock, A. M. and then in his Maj[tys] name said the Assembly is accordingly adjourn'd.

Wednesday 9[br] 17th—the House met.

Mr. Sec[y] came a Mess[a] that the Gov[r] had nothing to recomend as yet and would have the House proceed to business where they left off, it being only an adjourm[t]. The House adjournd for 2 hours P. M.

P. M. The House met and agreed ab[t] a new Table of Fees. The House adjourned to the 18th curr[t].

Thursday Nov. 18th—the House met. In the House Voted, that Messrs Clarkson & Maj[r] P. Gillman be a Comittee of this House to joyn such as the Hon[ble] the Council shall appoint to Draw up a Table of Fees for all officers & offices & courts, & fines & Forfeitures to be taken and rec[d] in this Province, and make Return thereof to the Ass[m] as soon as possible.

The House adjourn'd for 1 1-2 Hour, P. M.

P. M. The House proceeded ab[t] the Table of Fees.

The House adjournd to the 19th curr[t] A. M.

Fryday November the 19th—The House met. The Question was put if the House would proceed to settle the Table of Fees in the House as they were going on yesterday. It past in the negative.

Voted, That Sam[l] Gillman Esq. be a Comittee of this House to joyne such as the Hon[ble] y[e] Council shall appoint to advise with a Lawyer & draw up a Table of Fees for all offices & officers, Fines & Forfeitures to be taken & rec[d] in this Prov. according to the late Emission of Bills of Credit & to make return as soon as possible. Sent up pr Mr. Tole. Concur'd. Mr. Wibird added.

Messrs Page & Benj[a] Bakers Petition read & voted to serve y[e] Selectmen of So: Hampton &c. to appeare y[e] 3[d] day of next Sessions.

Selectmen of South Hampton Petition, read. Sam[l] Smith appeared & vouch'd the Select men were serv'd with a coppy according [P. 34.] to the s[d] vote, and Voted that the Prayer of the Petition be granted & that the Petitioners have Liberty to Bring in a Bill accord[y]. The House adjournd for 2 hours P. M.

P. M. Carr & . . . . . Petition for a highway read. Mr. Walker & others Petition read & the Parties heard by Council.

It was put whether it be proper that Capt. Walker wthdraw in his own case. It past in the affirm^{n} & he withdrew. Capt. Walker objected agst Mr. Israel Gillman's sitting, he having forejudged the case.

The House having considered the arguments on both sides, Voted That the Petition be dismis'd. Then the House adjourn'd to the 20 curr^{t}, A. M.

Saturday Nov. 20th—The House met. Chester Petition Refer'd in June last by the Selectmen, read againe & inasmuch as it appears Londonderry not notified & ye Petition praying ye matter may be heard, therefor Voted as before, & to app^{r} the 3^{d} day of ye next Sessions after Feb^{y}.

The Question put whether the House will add one more to the Comittee ab^{t} the Fees. It past in ye affirmative. Capt. Gage aded.

In the House &c. Voted, That Saml Gillman & John Gage Esqs be a Comittee of this House to joyne with such as the Honble the Council shall appoint to draw up a new Table of Fees for all offices, officers, Fines & Forfeitures to be taken & received within this Province in Proclamation money and that they have liberty to take such advice therein as seems meet to them for doing the same and that they make return to the General Assembly as soon as they can. [In the margin] "Not sent up."

A Petition of 47 p'sons of Hampton Town read agst the Return for a Line &c. & y^{t} if ye Line be settled y^{t} they may be Pol'd off to the old Town.

The North Hill affaire heard by Council.

Mem^{o}. Willson of Brentwood's Petition to be read first March. Andrew Gillman & others.

The house adjourn'd to Monday the 22^{d} curr^{t} 10 o'clock, A. M.

[P. 35.] Monday, November the 22^{d}, 1742. The House met. Adjourn'd to the 23^{d}.

Tuesday, 23^{d}. The House met. Mr. Willson & others Petition read in order to be sett off from Brentw^{d}.

Whereas It is tho't That it will be very chargeable to the Govern^{t} to keep the Genl Court sitting until a new Table of Fees be made and compleated, Voted, That the Fees due by Law to any & every officer wthin this Province for any service hereafter to be done in & belonging to his office Respectively, shall be & hereby is limitted & stated as the Laws already inforce y^{t} beare date before the 25th day of X^{br} last past Limits & States the same; and one

shilling in Bills of Credit of the new Tenor on this Province shall pay & discharge the sum of 4s due to any such officer as Fees, or for the labour & service of his Respective office, & in y^t Propor^n for a greater or lesser sum, & shall be a lawfull Tender when duly made for any such demand & y^t all penalties, Fines & Forfeitures, (excepting all such as are settled by acts of Parlia^mt) be p^d in the same manner & y^t an act be drawn up accordingly & shall remaine & continue in full force & effect until the 25th X^br 1743, or until a new Act Table of Fees be agreed upon by ye Genl Court, between this & ye aforesaid 25th X^br, And that Saml Gillman & John Gage Esq. be a Comittee of this House to joyne such as the Honble the Council shall appoint to draw up s^d act; & further Voted y^t there be a Committee appointed of both Houses, s^d Comittee (in the Recess of the Ass^m) to draw up a new Table of all Fees, Fines & Forfeitures to be taken & rec^d in this Province in Bills of the new Tenor & p'sent ye same to ye Gen. Ass^m at their next Sessions for approbation, &c.

The House adj^d for 2 hours, P. M. J. J. Clr. Ass^m.

P. M. Willson & others of Brentwood their Petition read & voted, That ye Pet^rs serve the Selectmen of Brent^d with a coppy &c. and to ap^e ye 3^d day of next sessions after ye 25th X^br next at ye Petitioners cost &c.

Mr. Sec^y came & said that ye vote of ye 19th relating to Fees pray'd to be withdrawn could not be sent by ye Council, ye Govr having assented to it; and further read a letter from Agent Thomlinson of thanks for ye 100£ present from ye Assembly, and likewise that he could not send any news the Genl being in the country til ——?

[P. 36.] The return of the Comittee that went to view Hampton & North Hill read, & the Question put whether both ministers be paid out of the Gen^ll Stock. It past in the affirmative.

As to the paym^t of the ministers, Voted, That if that any thing is advanced hereafter to the ministry, It shall be advanced equally alike to each minister.

Capt. Lock affaire came on, Ordered Capt. Lock to notifie the King's Attorney & Mr. Gorwood to appeare to morrow ten o'clock A. M.

Adjourn'd to the 24 curr^t 8 o'clock A. M.

Wednesday 9^br 24th — The House met. Mr. Lock's affaire heard & argued & voted that the said Lock pay to Cha. Gorwood 10s new Tennor and y^t then the pray^r of the Petition be so far granted as y^t he may have a new tryall, and liberty to Bring his Bill accordingly.

A mess^a was sent to desier the withdrawing ye vote ab^t Fees of ye 19th curr^t. Mr. Sec^y came & said that ye vote was Entred &

assen^{d} to & lay dead for not acting on't & y^{t} a new vote might be acted on tho' that vote lay on file.

Then a new vote sent up ab^{t} Fees made the 23^{d} current.

Messrs Sec^{y} & Wibird came with a Mess^{a} and bro't our vote of ye 23^{d} curr^{t} relating to Fees, viz. that the Council could not concurr wth the vote, for it cros'd the act of Parliam^{t}, sundry fines & forfeitures being settled by acts.

In answer to which the House amended and excepted all Fines and Forfeitures settled by Act of Parliam^{t}. Sent up.

Upon reconsidering the North hill affaire, the Petitions read and the several parties heard, and the House having considered thereon, Voted, That there be a Line settled, viz. Beginning at a large Rock in the Highway that leads from Portsmouth to Hampton over North Hill, Between the dwelling houses of Caleb Marston & Joseph Tole jun. & is the first great Rock in the Highway to the Southward of ye widow Levitt's dwelling house & from s^{d} Great Rock to run on a Strait line to the sea at the mouth of ye little River where it now Empties itself into the Sea & y^{n} to begin at the aforesaid great Rock & from thence to run on a strait Line to the lower Bounds Between Stratham & Exeter as Hamp-[p. 37.] ton Line, that the Estates in the old Parish that belongs to the Poles in ye North Parrish shall pay Rates to the new Parrish and the Estates belonging to the Poles of ye old P'ish that lies in ye north P'ish shall pay Rates to ye old P'ish, and wherever the ouner of the land lives there he & his Estate shall pay notwithstanding ye Line settled, & if any stranger purchase the Land in either of the P'ishes he shall pay where the Land lies. It always intended y^{t} every p'son in each P'ish pay the grant to Mrs. Dorothy Gov——(1) as usual by ye whole Town, & y^{t} ye Rates for ye present yeare be pd as they are ready made, & y^{t} ye selectmen in each P'ish join in making Pro: Rates as also ye both P'ishes joyn in choice of the *present* till further order.

Mr. Sec^{y} came with a Mess^{a} ab^{t} Southampton and said that the matter formerly belonging to it not being past up that the matter might be reconsidered, and left the paper.

Mr. Speaker Wiggin being absent the House proceeded to chuse a Speaker *pro tempore*. Ebenezer Stephens, Esq. was chosen. A motion was made relating to Southampton.

The House adjourn'd to the 25th curr^{t} 9 o'clock.

Thursday 9^{br} 25th. The House met.

Southampton affaire was reconsidered and Voted, That a Line be extended from the Dividing Line between Hampton Falls P'ish and the P'ish of Kensington to the Prov: Line being South four Degrees West, and that all the Inhabitants & their Estates

(1) This name is illegible.—Ed.

to the Eastward of that Line that did belong to S Hampton shall be annexed to Hampton Falls Parrish, & that the Petit^{rs} have liberty to bring in a Bill accordingly.

Brentwood affaire came on Debate.

The return of a Comittee that was sent to view the Land made their return wch was accepted. A Petition of Eben^{r} Stephens, Esq. read — pd.

A petition of Batchelor & others read, *palm^{r} must pay* — Voted dismis'd.

South Hampton Peti^{n} Bro't down to amend the vote which was read & concurr'd.

A vote about Brentwoods paying their rates to Exeter constables on file. Mr. Wibird Bro't our last vote to be reconsidered. The House having considered thereon, Voted they adhere to ye former Vote & sent up.

Mr. Smith bro't from ye Council a Petition of Mark H. Wentworth. A Mess^{n} pr Mr. Sec^{y} that Geo. Jaffrey & Richd Wibird Esq. apointed above to draw up the Act for ye Table of Fees, &c.

Mark H. Wentworth's Petition read & Voted ye Prayer of ye Petition be granted & y^{t} he has leave to bring in his Bill accordingly.

Mr. Stephens Petition read & voted to serve the Selectmen of [P. 38.] East Kingston wth a coppy & to appeare the 3^{d} day of the sitting of the Genl Assembly after the last day of February next to show cause why ye Prayer of ye Petition may not be granted; & y^{t} ye Rates of those young men in dispute be not taken by any constable till ye matter of ye Petition be determined, except the Province tax which must be pd.

The House adjourn'd to the 26th curr^{t} A. M.

Fryday 9^{br} 26th. The House met.

North Hill bill read, for establishing them a P'ish read a 2^{d} time.

Went^{s} & Stephens Petitions sent up.

The last Treas^{r} H. Sherburn, Esq. made a motion in the House to have allowance of w^{t} was paid the late Govr Belcher that he put in his account y^{t} s^{d} act may be past.

The Question was put if the House would allow the article in the Treasurer's acc^{t} for paym^{t} to Gov. Belcher be fully allowed or not. It past in the negative.

South Hampton Bill read.

North Hill bill read three times & past to be Enacted. John Eyres Petition Read & voted unanimously y^{t} the Petition be dismis't. The House adjourn'd for 1 1-2 hour P. M.

Whereas there was a vote past the Genl Ass^{m} last June appointing Messrs Odiorn Maj^{r} Peter Gillman and Richd Jennes to be

added to the Comittee for bringing in the remainder of ye 15,000£ loan, in ye Roome of John Gillman Esq. deceased & Thomas Packer, Esq. made high Sherrif &c. and no act to Impower them to do the same has been made as yet, Therefore

Voted, That Saml Gillman Esq. be of this House to joyn such as the Honble the Council shall appoint forthwith to draw up an act to impower y^m accordingly.

Allowed Mary Ayers £9: 6: 6 old Tenor her acc^t for victuallling Indians. Do. Mr. Atkinson for Bookes, paper & Quills £20: 10 old Tenor.

Brentwood act read 3 times & past to Enacted. Allowed James Jeffry 20£ old Tenor in full for his acc^t for Dra^ts.

A vote past relating to the Treasurer's accompt as on file. The House adjourn'd to the 27th curr^t A. M.

Saturday, 9^br 27th. The House met.

An act for the Inhabitants of Brentwood to pay this years Tax to Exeter, read 3 times & past to be enacted. Mr. Sec^y bro't Down Jos. Sherburn & Ellis Huske acct to be past upon.

[P. 39.] Whereas there was several accompts sent up yesterday allowed to be paid out of the Treasury, viz.

To Mr. Atkinson, new Tenor	£5: 2: 6	=	in old Tenor	£20: 10:	
To Mrs. Mary Ayers, new Tenor	£2: 6: 7 1-2	=	in old Tenor	£9: 16: 6	
To Henry Sherburn, jun. new Tenor	£3: 2: 6	=	old Tenor	£12: 10:	
To James Jeffry, new Tenor	£5: : :	=	old Tenor	£20:	
To Henry Sherburn & To Joseph Sherburn Jennes & Walton	Farming Exc. 30s	=	old Tenor	£6:	
In all, new Tenor	£17: 1: 7 1-2	=	old Tenor	£68: 6: 6	

in which said votes it is not Exprest out of what fund in the Treasury the same shall be paid, Wherefore Voted that the said accounts be paid out of the money in the Treasury for paym^t of contingencies.

Mr. Sec^y came to ask if the House had any thing to send up, if not that his Excell^y had ordered him to adjourn to Monday next & then in his Majesties [name] declared the Assembly ad^d accordingly.

Monday, 9^br 29th. House met. Adj^d to 3 P. M.

A Bill relateing to Nottingham read. A Bill relating to Fees Read.

A motion was made about voting for a Recorder to be chosen entirely by the House of Represen^ts. It past in the affirmative unanimously.

The House adjourned to the [30th] curr^t A. M.

Tuesday 9br 30th. The House met. The act for the Table of Fees read.

In the House &c. Whereas the Records of Deeds and conveyances of Land for ascertaining the Title thereof is of great consequence to the Inhabitants and Proprietors of Lands in this Province & whereas there is a Law that for preventing Fraudulent & uncertaine Sales of Houses and Lands, to the intent it may be better known wt Title or Interest p'sons have in or to such Estates &c. In which Law it is expressed how the Deeds &c. shall be acknowledged & Recorded, That the Recorder shall be sworn & his Fee for Recording, But in that Law (nor no other that the House of Representatives can find or be informed of) is there any mention how the Recorder shall be chosen, And tho' of late years said officer has been chosen by the Genll Assem. yet this House is [p. 40.] humbly of opinion, That as the People whom they Represent are the persons chiefly concerned in Interest & property, and think that it is proper that the said Recorder ought to be chosen and appointed from time to time by the House of Representatives, Wherefore, Voted, That an Act be drawn up accordingly.

Mr. Secy Bro't the late Treasurer Sherburn's *finishing?* accts to be past upon.

Voted That Mr. Jotham Odiorn be of this House, in the room of Mr. Thos Packer former chosen, to joyn such as the Honble the Council shall appoint to adjust the Ballas of ye Treasurers accounts now Bro't in.

The House adjourn'd for 1 1–2 hour p. m.

P. M. Mark H. Wentworth's Bill abt Vaughan's Land read three times & past to be Enacted.

A bill for Peter Gillman, Richd Jennes & Jotham Odiorn, George Jaffrey, Paul Gerrish Esqs be a Comittee to call in the £15000 loan read 3 times & past to be enacted.

An act for regulating and ascertaining fees for a limitted time, viz. to ye 25th [Dec.] 1743, or until a new Table be made, read 3 times & past to be enacted. All the above sent up pr Mr. Stephens.

Memo. Mr. Hunking Wentworth Bro't in £62: 18: money recd of ye Hansons left in his hands by the Speaker.

Voted, That the said £62: 18 in Mr. Speakers hands be paid into the Treasury taking the Treasurer's rect for the same for the Speakers Discharge.

Several of the Delinquent absenting members fined.

The House adjournd to Wednesday Decemr the first.

Wednesday, Decr 1st 1742. The House met.

South Hampton bill read. Mr. Secy bro't the vote about Han-

sons money. Mr. Sec^y Bro't the vote for appointing Mr. Odiorn to adjust the late Treasurer's Acc^ts & left it.

In the House of Represen^ts, Voted That Mr. Jotham Odiorn be of this House to joyne such as the Honble ye Council shall appoint to audit Mr. Treasurer Sherburn's acc^ts and make their Return as soon as possible to the Genl Ass^m sent.

[P. 41.] Whereas the widow of Thomas Pinkam late of Dover in New hampshire complains that her late husband did inlist himself in his Maj^ties service for the late Cuba Expedition and several of the members of the House say there was allowed him, the said Thom^o Pinkam, the sum of two pounds forteen shillings for his subsistance money in ye service, which was never pd him or her, Wherefore Voted that the said widdow be paid out of the money in the Treasury for paym^t of contingencies the said sum of two pounds fourteen shillings old Tenor, in full of all Demands. Sent up.

In Council, Dec. the 1st 1742.

Province of New hamp^r. Voted That Messrs Richard Wibird & Saml Smith, Esqs. be a Comittee of this Board to joyne with such as shall be chosen by the Honble the House of Represent^s for telling over & bringing in to the Genl Ass^m all such money as hath been rec^d in order to the same being Burnt & that they make a report of what sum they shall receive from the several persons in whose hands the same now is.

Theo. Atkinson, Sec^y.

Eod^m Die. In the House of Represen^ts The above Vote of Council read & concurr'd & Voted, That Messrs. Jotham Odiorn & Maj^r Peter Gillman be a Comittee of this House to joyne the above Comittee for ye service therein mentioned.

Voted, That Benj^a Akerman be pd for his service as doorkeeper for the yeare 1742 Ending April next, the sum of seven pounds ten shillings Proclamation money.

The House adjournd for 1 1-2 houre P. M.

P. M. Whereas all the constables in the Province do now Gen^lly attend at the Quarter Sessions of the Peace and the Sup^r Court which is of very great expence and hardship and like to be more so as the new Towns Increase and for which there is no allowance tho' some of them are Gen^lly obliged to attend the Court the whole term, and for the more easy way of finding proper p'sons to attend the several Courts, Voted, That it shall be in the Power of each Court to appoint a proper person to attend said [P.42.] Court, who shall have as full power as any constable whatsoever during ye sitting of ye court by whom he is or may be appointed and that he be paid out of the publick Treasury the sum of 2s 6d new tenor pr diem on certificate from the clerk of ye Court that appoints him, and that all Constables are excused from attending said Courts, except making their proper Returns and that

an Act be drawn up accordingly Said Act to continue Ten yrs & no longer.

South Hampton Bill sent up.

Whereas the Law of this Province do now restrain the Justices of the Gen[l] Sessions of the Peace to a certain Limitation of Publick Houses, which Law was made a long time since, And the People as well as Towns & precincts are verry much Increased so that the said Law is very deficient for want of a further Limitation a Liberty of Licensing proper p'sons in each Towne, &c.

In the House of Represen[ts].

Voted, That there be an additional act made giving Liberty that the Justices in their Gen[l] Sessions of the Peace Licence proper p'sons in proper places in each Town within this Province at their Discretion from time to time, the p'sons at the first time to be well recommended by the Selectmen in each P'ish or precinct, and that an Act be drawn up accordingly, and to continue for ten years and no longer.

Eod[m] Die. Whereas there is no law to be found in this Province for constituting a Recorder of Deeds & Conveyances, but only usage, In the House of Represen[ts],

[p. 43.] Voted That an Act be drawn up That the Gen[l] Assembly from time to time shall appoint the Recorder of Deeds & Conveyances of Lands & Houses in this Province, And that in case of the Death of any such Recor[r] between any times of the meeting of the Gen[l] Assem. That in such case, there be a Comittee incerted in said Act appointing proper Persons that are Freeholders within this Province to take & secure the Records &c. until the next sitting of the Gen[l] Ass[m] and then to deliver the same Records to the new chosen Recorder taking his rec[t] for the same to be returnd to the Gen[l] Ass[m].

The House adjournd to the 2[d] curr[t].

Thursday Decem[r] 2[d] 1742, A. M. The House met.

Notting[m]: Bill read 3 times and past to be enacted. Tavern vote concurr'd & assented to.

A mem[o] presented by the Speaker sent from his Excell[y] to address his Majesty about y[e] Mass[a] Petitioning for y[e] confirmation of y[e] new Towns to them, for his Majesty not to confirm y[e] Grants &c. Sent up.

A vote past to Prefer the mem[o] & y[t] it be fairly written, and that Tho[s] Packer & John Gage, Esqs be a committee of the House to Joyne such as the Hon[ble] the Council shall appoint to write the agent to prefer the Same Mem[o] and that this Goverm[t] may be at no other charge than preferring s[d] Mem[o].

Memorial to his Majesty.

[Copied from MS. "Addresses to the King in Secy's office," p. 66.]

To the King's Most Excellent Majesty in Council: The Humble Petition of the Council and Assembly of your Majesty's Province of New Hampshire in General Assembly convened:

Humbly sheweth,

That it has been your Majesty's Will and Pleasure to settle and determine the boundary lines between this and your Majesty's Province of New Hampshire and the Province of the Massachusetts Bay, which had been matter of dispute subsisting near seventy years.

That your dutifull and Loyall subjects of the Province of New Hampshire being duly sensible of your Majesty's great goodness and compassion extended to them, in determining that unhappy dispute, show'd the great obedience thereto, and paid the whole expence in running and marking out the boundary lines, the charge whereof, together with what arose in defending themselves against the claims of the Massachusetts while the matter was depending before your Majesty, has greatly Impovrished the Inhabitants and tended to prevent the Increase of the Province.

That in consequence of your Royal determination of our boundary the General Assembly have settled a Sallary on your Majesty's Governor under whose administration we are perfectly easy and happy to the utmost of our ability, and we doubt not but all succeeding Assemblies will pay the greatest regard to the Royall order in that Respect.

That New Hampshire lookt upon this happy Event of your Majesty's wise and just determination as a means to put an end to all future disputes and expences; but such is the restless temper of some of the wealthy Inhabitants of the Massachusetts and others by their instigation, that they seem to threaten the ruin of your Majesty's subjects in New Hampshire, by bringing upon them a new and an unnecessary load of debt, and having posses'd themselves of a larger tract of land in your Majesty's Province of New Hampshire than the old inhabitants have at this time under Impovement by virtue of their own grants, and without any reserve made of white pine trees fit for masting the Royal Navy, which is the tenor of all grants made by this Government, and the far greater part of said grants actually made when the dispute was pending before your Majesty in Council: Under these circumstances, some of the Inhabitants of the Massachusetts Bay have presumed to Petition your Majesty to confirm those grants, and thereby make an infringement on the most solemn Determination of the Great Council of the Nation, approved of and confirmed by your Majesty.

We therefore humbly beg leave to represent to your Majesty that all those Petitions have been obtained for sinistre ends and purposes disadvantageous to your Majesty, and should the Prayers of any of them be granted, and thereby the least infraction made in your Majesty's Royall and most solemn Determination of the boundarys run and settled, it would open a door for innumerable and endless disputes and contentions; for whereas the single boundary between the two Provinces has cost so many years Expence and Trouble, it must be impossible to hope that so many new and uncertain boundarys as granting any of these petitions must create, can ever be settled, and therefore all that your Majesty has lately done for peace, happiness and Tranquillity of your subjects must be rend'red fruitless and ineffectual, and your Majesty's subjects again plunged into a more deplorable state of confusion than that from which your Majesty in your great wisdom lately delivered them from, by your Royall determination of the so long contested boundarys between the said Provinces.

And we humbly begg leave further to represent to your Majesty, that your dutifull & faithful subjects of New Hampshire are utterly unable to defend themselves against the opulent Inhabitants of the Massa Bay in any new contest, & should the Petitioners be indulged to carry their designs into Execution, it must bring upon us a heavier charge than we are able to support

under & we must be under a necessity to lay ourselves at your Majesty's feet for protection & assistance.

Wherefore your Petitioners most humbly pray that your Majesty would be graciously pleased to reject all applications that have been made or may be made to your Majesty by the agents or Instruments of the Province of the Massachusetts Bay, which so manifestly tends to the utter destruction of New Hampshire, and to involve your Majesty's good subjects of both the said Provinces in endless disputes, and that your Majesty will not suffer the least infraction to be made in that only certain basis of peace and Tranquillity that your Majesty has most graciously fixed and established by the late determination of the certain Boundarys between the said Provinces. And your Petitioners as in duty bound shall ever Pray.

Prov. N. Hamp^{r}.

In Council, Decem^{r} 2^{d}, 1742

Read & concurr'd, & George Jaffrey & John Downing added to the Comittee

Theodore Atkinson, Sec^{y}.

Eodem Die. Assented to B. Wentworth.

John Eyers Petition Bro't down to be reconsidered & voted it lye for consideration till next Sessions.

The House adjourned for 1 1–2 hour P. M.

P. M. The House met. Sent up. There was bro't in by the Comittee for telling money y^{t} must be burnt, £247 : 2 : 9 of Tax for ye years 1741 from Mr. Treasurer Sherburne & Burnt.

The House adjourned to the 3^{d} curr^{t} A. M.

[P. 44.] Fryday, Decr 3^{d}. The House met.

Whereas there is two accompts Bro't in, the one to this House of sd accounts is sign'd by Ellis Huske, Esq. 1741, as a committee man for laying out the money adv^{a} for the Repaire of Fort Wm & Mary, the other sign'd by Joseph Sherburn, Esq. Dated 24th Feby 1741, as another of said Comittee for the same service, Both which said accounts this House thinks very unreasonable and Extravagant in most articles, therefor the House cannot think fitt to allow them as they stand, and for further satisfaction in the affaire, Voted, That Mr. Jotham Ordiorne be of this House to joyne such as the Honble the Council shall appoint to go down to the Fort, in the recess of the Assembly and view w^{t} has been done, and make strickt inquiry into w^{t} has been done, and likewise of the expence and then to audit the accounts and receive what is due & pay it unto his Excellency for the further Repaire of the s^{d} Fort and make return of their doings therein to the Genl Ass^{m} next Sessions.

The Act about Constables Read & past to be Enacted & the act for Taverns &c. read & past to be Enacted. All sent up.

Province of New hamp^{r} X 3^{d}, 1742

Rec^{d} of Mr. Speaker Wiggin sixty two pounds eighteen shillings Bills of credit, it being so much that money in his hands of the money pd by Messrs

Hanson & Farr in full of a Debt due to the Province from the Estate of Richd Gerrish Esq. deceased. £62: 18.

Pr. Geo. Jaffrey, Treasurer.

Very Coppy of the orriginal taken in the House.

Xbr ye 3d, Money for ye Tax 1741, Burnt	£229: 10
of Vaughan's Execution money	£200: pt
of ye 1730£	
of Coll. John Plaisted money, of ye £5780:	£ 85: 10

All burnt, which ye Speaker recd of Elisha Plaisted & Mark Wentworths Bond.

Indian Act read. House adjournd for 1 1-2 hour P. M.

[P. 45.] P. M. The act for Preventing selling strong Drink to ye Indians, The Act to continue 3 years and no longer read 3 times & past to be enacted & engrost & sent up.

The House adjourned to ye 4th Currt A. M.

Saturday Xbr 4th. The House met.

Voted That Samuel Gillman, Esq. be of this House to joyne such as the Honble the Council shall appoint to draw up a new Table of Fees, Fines & Forfeitures in the Recess of the Assembly according to the act made and past this Sessions, and that they take what advice they think fitt and present the same to the Genl Assm next Sessions. Sent up.

Mr. Secy came and said that the Council advised yt ye Bill relating to trade with the Indians lyes for considera giving several good Reasons—one was yt it would destroy the Truck house at Fort Dumer.(1)

A vote past for paying his Excelly Sallary yt will be due 12th June next, as on fyle.

Eodm Die. Voted that Messrs Jotham Odiorn & Mr. Hunking Wentworth be a Comittee of this House to joyne such as the Honble the Council shall appoint to adjust the late Treasurer Sherburn's accompts in the recess of the Assembly agreeable to the votes past in ye Assembly, and transmitt them to his Excellency to be sent home.

A vote on fyle for the Secy to give up the Excise Bonds as they are paid.

Mr. S— came and said his Excelly required the attenda of the House in the Council Chamber.

The Speaker and the House went up accordingly & after his Excelly had assent and past the several acts, his Excelly ordered the Secretary to Prorogue the Genl Assembly to ye tenth day of May next, and then declared in his Majesty's name the Genl Assm PROROGUED, accordingly.

(1) "Fort Dummer" was located on the east side of Connecticut River, within the limits of what is now the town of Hinsdale, N. H. It was established and maintained by Massachusetts, and was very important for the defence of the western frontier.—ED.

MISCELLANEOUS PAPERS.

[The following Papers relate to matters in the foregoing Records.—Ed.]

Bill for taxing the New Districts.

[Copied from MS. Province Acts in Secy's office, 1741–65.]

Province of New Hampshire.

[Province Seal.] Anno Regni Regis Georgii Secundi Magnæ Brittaniæ, Franciæ & Hiberniæ Decimo Quinto.

An act for subjecting all persons & Estates within this Province, lying to the Eastward or Northward of the northern and Eastern Boundary of the Province of the Massachusetts Bay (not being within any Township) to pay a tax (according to the rules herein prescribed) towards the support of this Government.

Whereas by the late settlement of the Boundaries between this Province & the Province of the Massachusetts Bay by his Majesty in Council, it appears that many persons and the estates which they improve, are within this Province, which are not yet incorporated into Townships & have never paid their Proportion of the charge of supporting this Government, which they ought to do:—

Be it therefore enacted by his Excellency the Governour, Council & Representatives in General Assembly convened, and by the authority of the same, that all polls and estates rateable by the Laws of this Province, which lye within the same, to the eastward or northward of the northern and eastern Boundary of the Province of the Mass^a Bay, which are not incorporated within any Township or Parish in this Province, shall be and hereby are subjected & ordered to pay a Tax towards the support of this Government, in such proportion as shall be fixed and settled pursuant to any Law or Laws of this Province or any Order of the General Court relating thereunto: and that the s^d Tax may be regularly assessed on the s^d polls and Estates, and duly and effectually levied:—Be it, therefore, enacted by the authority afores^d, that the s^d polls and estates shall be divided into certain Districts; and that part of Salisbury and Almsbury, so called, which by the settlem^t of the afores^d Boundaries falls within this Province shall be, & hereby is, made one District;—That part of Methuen & Dracut, so called, situate as afores^d, shall be and hereby is made one District;—Litchfield, so called, Nottingham [now Hudson] so called;—Part of Dunstable, so called: Rumford, so called, being all places situate in this Province as afores^d, Each shall be and hereby is, made one District.

And be it further enacted by the authority afores^d, That the person or persons hereinafter named for each of the s^d Districts respectively shall be and hereby is & are authorized and Enabled to notify such of the Inhabitants of the s^d Districts, as, if incorporated, would be Qualified by Law to vote for the choice of Town officers, to appear at such time & place, as the s^d Person or Persons shall determine and appoint within each District, by posting up a written Notification or notifications under his or their hands, at such place or places within the same as he or they shall think most likely to Notify the s^d

Inhabitants, giveing ten days notice of such intended meeting, and the End & Designe thereof:— which meeting shall be regulated according to the Laws of this Province respecting Town meetings and be governed by such persons until a Moderator be chosen; and then and there by a majority of such voters present, to choose a Clerk, three or five Selectmen or Assessors, a Collector or Collectors for each of the s^d^ Districts; which Clerk when chosen and sworn shall be and hereby is invested with all powers and authorities that any Town Clerk within this Province is by Law invested with; and the s^d^ Selectmen or Assessors when so chosen and Qualified, shall be and hereby are invested with full power and authority to assess the afores^d^ Tax pursuant to Law, and to issue their warrant or warrants, directed to such Collector or Collectors for collecting or levying the same, pursuant to Law as afores^d^; and also such Collector or Collectors when so chosen & Qualified shall have the same power & authority to collect & Levy the afores^d^ Tax, which a Constable in any Town within this Province has by Law to collect & Levy rates and Taxes, and shall be subject to the same pains and penalties in default of due Performance of this s^d^ duty, to be executed in like manner; and the s^d^ Clerk and Selectmen or Assessors, Collector or Collectors shall be sworn by any one of His Majesty's Justices of the Peace within this Province, to the faithful discharge of their respective offices & Trusts, which oath they are hereby respectively ordered & Directed to take, when tendered to him or them, on pain and penalty of forfeiting and paying the sum of twenty pounds for each refusal, for the use of this Government, to be recovered by the Treasurer of this Province for the time then being, by Information or action before the Justices of the Inferior Court of Common Pleas for this Province, who shall have cognizance thereof, and either party that shall be aggrieved at the judgment of the s^d^ Court, shall have Liberty hereby to appeal to the Superior Court of Judicature within this Province; and if any of the s^d^ officers shall not take the s^d^ oath, when tendred to him on his being chosen as afores^d^, the s^d^ voters shall judicially proceed to chuse another in his room, & so on till such shall be chosen as will take the Oath proper to his office, as afores^d^; and the Justice of the Peace by whom the s^d^ oath shall be tendred, shall transmit the name, place of abode & addition [condition] of every such Delinquent to the Treasurer afores^d^.

And be it further enacted, by the authority afores^d^, That the Person who shall be chosen Clerk in each of the s^d^ Districts, shall be and hereby is appointed, authorized and directed, to take a true and perfect List & Inventory of all the rateable Polls & Estates within the same; and to administer an oath to the owner or owners, possessor or possessors of any such rateable Estate that he, she or they will give & render unto him the s^d^ Clerk a true and perfect account of all his, her or their rateable Estate within such District, and also of the rateable Polls belonging to him, her or them within the same; which List and Inventory the s^d^ Clerk shall take before the twentieth day of May next, and shall make returne thereof to the General Assembly of this Province, by the third day of the next sitting thereof, after the twentieth day of May next; and in case any such person or persons shall refuse to take s^d^ oath, or when taken, shall refuse or neglect to give & render to such Clerk such acc^t^ as afores^d^ when by him thereunto requested, every such Delinquent shall forfeit & pay a sum not exceeding fifty pounds, at the descretion of the Court where the same shall be recovered, which shall be in manner afores^d^ for the use afores^d^ and the s^d^ Clerk shall be and hereby is further ordered and directed forthwith to transmit to the s^d^ Treasurer an acct. of the name, *addition* or occupation and place of abode of every such delinquent, and the s^d^ Clerk, before he shall proceed to the execution of the Trusts hereby reposed in him and committed unto him relateing to the taking such Lists and Inventory, and all the afores^d^ matters and things concerning the same, shall be sworn before any one of his Majesty's Justices of the Peace for s^d^ Province, to the faithful discharge thereof; which oath the s^d^ Clerk is hereby ordered and directed to take when tendred unto him on the Penalty of forfeiting and paying the sum of fifty pounds, to be recovered as afores^d^ for the use afores^d^, for the recovering which several forfeitures, the s^d^ Treasurer is hereby directed to prosecute as afores^d^.

And for the encouragement of the s^d^ Clerk to a faithful discharge of the s^d^

trust, he shall receive out of the Public Treasury of this Province three pr cent[m] for the sum total of every such List and Inventory, as the same shall be rated and set by the General Assembly afores[d].

Richard Jennes of Rye, George Walton of Newington and Ebenezer Stevens of Kingston were appointed to call the first meeting of the inhabitants in each of the s[d] Districts.

Passed March 18, 1741–2.

Report of Commitee to call the first meetings in Towns.

[Copied from MS. Corr. in Secretary's office, Vol. I, p. 157.]

Province of New Hampshire. Portsmouth, 17 May, 1742.

Wee the subscribers being appointed a Committee by the Governor, Council and Assembly, to call the first meetings in the several Towns within this Province [See Journal of the House, p. 153] that fall within the lines according to his Majesty's determination in Council, in order to their paying a Province tax, do declare that in that part of Salisbury, Almsbury, Haverhill, Methuen, Dracut, Dunstable, Litchfield & Nottingham, & the other Towns we visited & held meetings in, the people were well satisfied & contented to be under the Government of New Hampshire, and that they were under no dissatisfaction upon any account but in three or four Towns where the Parrishes were divided, which if by an act of both Governments, that is the Province of the Massachusetts & New Hampshire, they could be enabled to carry on their Parrish affairs, they would in General be entirely easy. This we declare to be the truth according to the best of our knowledge before His Excellency Benning Wentworth, Esq. Governor & Commander in Chief of his Majesty's Province of New Hampshire.

Geo. Walton
Eben[r] Stevens
Richard Jennes.

[p. 161.] Province of New hampshire.

Acc[t] of Travels of the Comittee appointed by the Act of the Governm[t] for viewing the New Destricts falling into this Province Lying to the northward & Eastward of the Boundary Lines between this Prov: and the Mass[a] Bay, & for qualifying y[e] officers in the same.

Ap[r] 11th

Wee of the Comittee opened the meeting att a place call'd Loggin Plain at the meeting house there Between Salisbury and Amsbury being by Information about 28 miles distant from Court.

Voted, Mr. Ezekiel Morral, Moderator, Ruben Dymond Clerk.

Sam[l] Smith Jno. Flanders Wm. Rowel Jona. Curriour Abraham Brown	Selectmen.	Cutting Fever Ezekiel Morral	Collectors.

Ap[r] 20th

Wee proceeded to Haverhill & opened the meeting att the meeting house there. Distance by way of Kingstown by information, 18 miles.

Voted Coll[o] Saltinson, (1) Moderator. Caleb Page, Cle[r].

Nich[o] White Jno. Watts Daniel Little Christopher Bartlett Tho[s] Follingsbee	Selectmen.	Geo. Little Tho[s] Hale	Collectors.

(1) Saltonstall?—Ed.

Apr 21st

Wee proceeded to Methuen and opened ye meeting att the meeting house there. Distance from Haverhill, 8 miles.

Voted Mr. Henry Sanders, moderator. John Ober, clerk.

Danl Peasley Isaac Clough Hen: Sanders	Selectmen	Nathl Woodbury Ebenr Ayres	Collectors.

Apr. 22d

Wee proceeded to Notingham (1), opened the meeting at the Meeting house there. Distance from Methuen 12 miles by Information.

Voted, Capt. Henry Baldwin, moderator. Hen. Baldwin, Clerk.

Capt. Hen: Baldwin Zechus Lovell Jno. Snow	Selectmen.	Thos Gage, Collector.

Apr 23d

From Notingham wee proceed to Merrimak River and ferried over to Dunstable, Distance from Notingham 5 miles, opened the meeting there:

Voted, Jos. Blanchard Esq. moderator, Abraham Taylor, Clerk.

Abra: Taylor Thos Harwood Saml Cummin Jona Lovell	Selectmen.	Enoch Hunt Hen. Parker	Collectors.

Apr. 24th

Wee proceed to Leachfield. Opened the meeting att the meeting house there. Distance from Dunstable 10 miles.

Voted Mr. Jacob Hildreth, moderator. Jacob Hildreth, clerk.

Saml Cochran John Usher Jacob Hildreth	Selectmen.	Alexander Caldwell, Collector.

Apr 27.

Wee proceeded to Penny Cook alias Rumford, and opened the meeting there. Distance from Leachfield by way of Londonderry 42 by Information, But Direct by Amiskeek, 34.

Voted, Capt. Ebenr Easman, Moderator. Benja Rolfe, Esq. Clerk.

Capt. Ebenr Easman Benja Rolfe, Esq. Jeremiah Stickney	Select men.	Geo. Abbott, Collector.

From Penny Cook alias Rumford wee proceeded to the upper end of Contoocook to take a view of said Town. Distance from Rumford 10 miles by Information, where is settled 25 families; and from thence wee proceeded to Canterbury & through the same twelve miles.

Persuant to the Act of Goverm^t aforesaid wee the subscribers being the Committee appointed to call the aforesaid several meetings, Did sware the several aforesaid officers to the faithfull Discharge of their several offices and was upon said service out and home thirteen days, all 30s pr day for the three committee men, each, £58: 10

The charge of sending a man to put up the several notifications in the new Districts and the Proclamations for the Fast to each of the aforesaid Districts, £7: 0: 0

£65: 10: 0

To the Several Notifications & coppys
To the Piloting from Town to Town
the Comittee have Discharged

Ebenr Stevens
Richard Jennes
Geo. Walton.

(1) Nottingham West, now Hudson.—Ed.

In the House of Representatives, June 26, 1742

Voted, the above Return'd be rec^d and the accompt allowed, and what is unpaid to be paid out of the Public Treasury — This to be in full

James Jeffrey Cler. Ass^m

In Council, Eod^m Die,

Read & Concurr'd. Theodore Atkinson, Secy.

Eod^m Die — Assented to. B. Wentworth.

Warr^t the 16th August 1742. D'^d Mr. Stevens.

A Memorandum of sundry stores at Fort William and Mary.

[p. 159.] May 3^d 1742.

12 field P^es, 9 of which without the Fort on the Neck, the Carriages much Defective & useless,— the other 3 in the Fort in the same condition.

9 (1) Large Guns on the south East Platform from 24 lb. to 32 lb. pounders, Carriages unfit for service.

4 on the south east Platform by the Flagg Staff 32 lbs. The carriages unfit for service.

2 Do. on the north East Platform about 32 lbs carriages rotten.

3 Do. on the North West Platform of 32 lb carriages rotten.

9 smaller on the same Platform eaten with rust & unfit for service.

2 small guns without carriages.

2 one of which is on each side of the gate — carriages rotten

[Stores.]

10 Large Ladles
2 sponges
4 ramers
4 worms
180 shot ab^t 4 lbs
7 iron crows
17 small arms much out of repair & most without locks
2 1-2 boxes Partridge shot.
Some old ramers heads
Some Cartridge Boxes
27 Sheet Lead aprons
6 bbs powder in 12 cask.
Some sheet lead. About 300 large shot, 18 to 32 pounders.

[Signed] G. Jaffrey, Jo. Odiorne, T. Atkinson, E. Huske, R. Wibird } Esqs. Comittee.

[p. 165.]

The State of his Majestys Fort William & Mary taken by order of his Excellency Benning Wentworth, Esq. Captain General & Commander in Chief of his Majestys Province of New Hampshire.

The Walls, Barricks, Flankers & Storehouses in said Garrison, except the gateway & Northeast corner require rebuilding from the Foundation.

(1) This figure seems to have been altered; somewhat doubtful whether 7 or 9.—Ed.

[The remainder of the statement is a duplicate of the preceding "Memorandum," certified as follows:]

The foregoing is a true and & exact account of the State & stores of his Majestys Fort Wm & Mary, taken the third day of May, 1742, By order of his Excellency Benning Wentworth, Esq. Gov. & Commander in Chief of his Majesty's Province of New Hampshire.

Geo. Jaffrey
Ellis Huske
R. Wibird
Theodore Atkinson

Report about Stores in Fort Wm. & Mary, &c.

[Copied from MS. Corr. in Secys office, p. 151.]

At the Court at St. James's
the 19th day of January 1742—

Present

The Kings Most Excellent Majesty in Council,

Upon reading at the Board a Report from the Right Honourable the Lords of the Committee of Council for Plantation affairs, Dated the 17th of this Instant in the words following, viz.

"Your Majesty having been pleased by your order in Council of the 15th of September last to referr unto this Committee the humble address of your Majesty's Council and Assembly of the Province of New Hampshire, setting forth that Fort William & Mary, the only Fortification within that Province for the protection of Trade and security of the Ships that load Masts for your Majesty's Royal Navy, is in a ruinous and Defenceless Condition and, in time of Warr, in continual Danger of a Surprise from his Enimie, for want of Stores of War to defend it, and therefore most humbly entreating your Majty to grant them such a supply of Powder, great Guns and Carriages, small arms; and other Store of War, as your Majesty should think proper and sufficient to defend the said Province from an attact by the Sea & Land—The Lords of the Committee, in obedience to your Majesty's said order of Reference, did, on the 24th of Novembr last, take the said address into their consideration, and thought proper to referr the same to the Master Generall of the ordnance, who hath transmitted to this Committee a Report made thereupon by the Board of Ordnance, Whereby it appears that as the Province of New Hampr is now independent of the Governmt of the Massachusetts Bay, they can expect no succor from that Quarter, & that the said Fort, which they understand to be the only one there is in the Province, is in a ruinous and defenceless condition, and are, therefore of opinion that the same ought to be supplied with guns and Stores (Powder and small arms excepted) as well for the Protection of Trade as for the security of ships that load masts for your Majesty's Navy; that as to the Guns now there, the said Board of Ordnance are apprehensive that they are not to be depended upon, and that all of them want carriages, and their Dimensions not being certified, they cannot supply the petty *emptions* proper, much less make carriages fit for them; that they have no plan of the present Fort, nor can the Agent who has been discoursed with upon this occasion, furnish the said Board of Ordinance wth one; but, by the account both the Governor and he gives, the same must be in a manner entirely rebuilt, and the said Board cannot learn from him that there is any Person in the Province duly quallified to direct the Building a Fort sufficient to answer the ends proposed. Under these difficultys they can only offer their opinion that an able Engineer should be sent there with Instructions to search & take the Dimensions of their Guns, to assist the Inhabitants in rebuilding Fort William and Mary, and to transmitt a plan thereoff, together with his report concerning the same; that the said Board may be competent judges of what nature and number of Guns it may be proper to

supply this Province with. The Lords of the Committee, upon considering thereof do agree humbly to report as their oppinion to your majesty, that an Engineer should be forthwith sent by the Board of Ordnance to that Province for the purpose aforesaid, unless there should happen to be one already in those parts, who may be able to attend this service."

His Majesty, this day took the said Report into consideration and was pleased, with the advice of his Privy Council, to approve thereof, and to order as is hereby ordered, that an Engineer be forthwith sent over to the said Province of New Hampshire, unless there should happen to be one allready in those parts who may be able to attend the aforesaid service, and that he be Instructed to Search & take the Dimensions of the Guns which are now in the Province of New Hampshire, to assist the Inhabitants in rebuilding Fort William and Mary, and to transmitt a plan thereof, together with his report concerning the same, to the Board of Ordnance, that they may be enabled to represent to his Maj^ty at this Board, the nature and number of Guns it may be proper to supply this Province with. And his Grace the Duke of Montague, Master Gennerall of the Ordnance to give the necessary Directions herein accordingly.

W. SHARPE.

To his Grace, the Duke of Montague,
Master General of the Ordnance.

Governor's Orders.

[P. 155.] Province of New Hampshire } Portsmouth, Jan. 31, 1742.

It having been represented to his Excellency that many of the Inhabitants residing on the King's Lands, since his Majesty has been pleased to determine the boundarys between this Province & the Massachusetts Bay, have refused to pay their Taxes towards the support of their Ministers, alledging that there is no Law of the Province to oblige them thereto; I am therefore by his Excellency's Command to inform the respective Inhabitants, that it will be very agreeable to the Governor that you & each of you, who have been delinquent on that occasion, do forthwith comply with your obligations in regard to the payment of your Ministers, as a contrary behaviour will incur his Excellency's displeasure.

By his Excellency's Command,

To the Several Inhabitants on the King's Lands in New Hampshire.

Coppys Delivered to Messrs Ashley & Bacon ministers at Winchester & Assuelot on Connecticut.

[*Journal of the House resumed.*]

[P. 47.] Tuesday May the 10th A. D. 1743, A. M.

The House met according to Prorogation. Adjourn'd for 2 hours P M.

P. M. A Mess^a sent to let his Excell^y know there was a Quorum of the House met. Mr. Secretary came with a Mess^a That his Excell^y required the attend^a of Mr. Speaker and the House in the Council Chamber. Mr. Speaker and the House went up accordingly. His Excell^y made a Speech. Mr. Speaker obt^d a copy & return'd, and some papers refer'd to in the speech. The Speech was read and a Parragraph of Mr. Agents Letter.

[See Journal of General Assembly, May 10, 1743.]

Report of the Board of Trade on our Bills sent home read.

Voted, That James Clarkson & Peter Gillman, Esqs. be a Comittee of this House to draw an answer to his Excelly^s speech as soon as possible & present it to the House for acceptance.

Then the House adjourn^d to the 11th curr^t A. M.

Wednesday the 11th curr^t, A. D. 1743, A. M. The House met.

Mr. Speaker, Capt. Gilman & Capt Wallensford was chosen a Committee of the House to waite on his Excell^y ab^t a Register of Deeds, &c.

A Mess^a sent pr Mr. Packer to the Council to pray a conferrence.

Mr. Sec^y came in answer that 'twas near 1 of the clock & that his Excell^y should be notified. The House adjournd for 2 hours, P. M.

P. M. A vote past for paying the Represent^s y^t day at Stretham.

The House adjournd to the 12th curr^t A. M.

Thursday May 12th. The House met.

Whereas there was sundry Petitions prefer'd to the Gen^ll Assembly last Sessions, which were to be heard the 3^d day of the sitting of the Gen^ll Ass^m which now happens, & the Gen^ll Ass^m being now on affaires of great consequence & cannot attend such hearings, Therefore Voted That the said hearings be put off to y^e

24th curr^t, and then all p'sons concerned are to attend if the Gen^ll [P. 48.] Ass^m be then sitting, otherwise to appeare the 3rd day of the sitting of the Gen^ll Ass^m at their next sessions.

The House adjournd for 2 hours P. M.

P. M. The Cl'k, Mr. H. Wentworth, & Capt. Gage were voted a Committee to draw up a vote for chusing a Recorder.

The House adjournd to the 13th curr^t.

Friday, May 13th — the House met, and the Dra^t of the Vote Read.

A Petition of sundry of the Inhabitants of the West End of Dover praying for a new District bro't in. The vote for Recorder, Draw'd & Read & voted & sent up.

Dover Pet^n read, & voted they serve the selectmen of Dover & Durham to appeare the 3d day of the sitting of the Genl Ass^m. Sent up.

The House adjourn'd for 2 hours P. M.

P. M. A Mess^a Bro't from the Council relating to the Records vote.

A Petition from some persons in North Hill District Bro't in.

The answer of the Councillors Speech read & voted accepted, read,—ly for consideration. The House adjournd to the 14th curr^t.

[The Message or Speech by the Council here referred to is not found on record or on file, but the following *answer* to it is copied from MS. Correspondence, in Sec^ys office, p. 167.—Ed.]

The answer of the House of Representatives to the Message of the Honourable his Majesty's Council of the 13th curr^t Relateing to the House's Vote for choosing of a Recorder.

Gentlemen of the Council,

By your Mess^a of the 13th Inst you are pleased to observe to us, It is of the most dangerous consequence to make the least infraction in the Constitutional Rights & Priviledges of any Government (and then go on further to say) "which by your vote of this day you seem to have done in respect of the choyce of a recorder." To which we answer, That the least infraction on the Constitutional Rights & Priviledges of any Government is dangerous. But how choosing of a Recorder for the preservation & safety of the rights of this People only which they have purchased at so Dear a Rate, does center in the three parts of the Legislature & reckoned a Constitutional right, or how his Majesty's Council can have their Power dissolved by placing that power in one branch which absolutely belongs to it, we cannot see it to be the least Infringement on the prerogative, or the invading their right in the least; neither can we see what the prerogative has to do wth the records of the People's Rights & Titles of their Lands, &c. And as for the Councils saying they will Joyn ye House according to the known Rules & Customs of the Government, we know no established Rule or Law for lodging y^t power in the three branches of the Legislature & wresting such a Priviledge from the People

even by any custom immemorial, & allow it had been a custom for some time, yet as we have some considerable alterations in ye Government, & when the People see ye Dangerous consequences attending the same in taking away from them one of their most valuable Priviledges & to be guilty of confirming the same, wo'd as we apprehend be establishing Iniquity by a Law, & must therefore be the most Dangerous & fatal foundation for the Interest of the good People of this Province—for should the three parts of ye Legislature not agree (as it might happen) our Records might be shut up for ever.

So upon the whole y^t as the Honourable Council is pleased to tell us y^t the heavy charge y^t has or may attend a delay of this affair may not rest wth them, to this we say that if we must be subjected to a method wch has a Direct tendency to the giving up a most valuable priviledge of the People, if the charge is considered, we cannot *conceive* by any means how it is any fault in us, for by the same rule we may surender all *all* our Priviledges. For which reasons we can by no means comply with the method proposed by his Majesty's Council; & yet at the same time if it can be done in a method whereby the right may be still invested in the People only of choosing a Recorder & preserving to them so valuable a Priviledge, its very far from us to enter into any Disputes wth his Majesty's Council upon this—if their objection to our vote be only *w^t effect* (1) to the Town Clark & Select men of Portsm^o.

Saturday May 14th the House met.

The answer to the [Govr^s] speech sent up (2).

North P'ish Hampton Petition read & voted it be dismiss'd. An answer to the Council's Mess^a yesterday ab^t the Recorder made & sent up. The late Treasurer Sherburn's acct^s past & sent up.

A vote sent up praying his Excell^y to adjourn over for a week. Mr. Secretary came with a Mess^a from his Excell^y, That in complyance with the Request of the House he had Directed him to adjourn ye Gen^ll Ass^m to ye 23^d curr't, and he declared the Gen^ll Ass^m adjourn'd accordingly.

An adjournm^t of eight Days to 23^d May, 1743.

[P. 49.] Monday, May 23^d A. D. 1743, A. M. the House met and adjourn'd for 2 Hours, P. M.

P. M. Richd Hilton's Petition for Revival of case before the Govr & Council, read & voted that Ellis Huske be notified to appear & shew cause (if any) why the Prayer of the Petition may not be granted, on Thursday the 2^d June, if then sitting, otherwise the 3^d day of ye next Sessions of Gen^ll Ass^m.

A Petition of the Freeholders and Inhabitants of Sumersworth praying to be remedied some inconveniences ab^t cons^t & for Speciall Boundaries &c. read.

The House adjourn'd to the 24th curr^t.

(1) The writing is scarcely legible, and the meaning obscure.—ED.

(2) This answer is recorded in the "Journal of the General Assembly"—*vide*.—ED.

Tuesday May 24th the House met. For an answer to the Council Messa a vote abt a Recorder, sent up.

Voted, That Messrs Ebenr Stephens, Geo. Walton and Richard Jennes be a Comittee of this House to Joyne such as the Honble the Council shall appt to Draw up an Act to enable the several new Inhabitants to the northward of the Line lately settled between ye Provinces of the Massa & New hampshire—*to impower them* to make Rates and assesmts as Towns and precincts in this Province do. Sent up.

P. M. Voted That Messrs Stephens, Walton & Jennes be a Comittee of this house to joyne such as the Honble the Council shall appoint to Draw up an act enabling the Selectmen of Each Parrish and Precinct within this Province at any time (on the death or Incapacity of any Constable or other Town officer) to call a meeting of the Freeholders Quallified by Law to vote to make choice of a proper p'son or p'sons to supply the place or places of such Constable or other officer or officers—The Laws already in force limmiting such choice only to the annual meetings. Sent up.

Brentwood Petitioners and their opposites heard by their Council.

Messa by Mr. Secretary & Wibird Bro't an answer to our Messa abt a Recorder & that the Council are willing to comitt the choice of a Recordr in the old way, and into any Act for securing the Records & making a Duplicate to be lodged as the House shall see meet, and that 40 years ago Govr Usher acted abt the Records. & Brentwood Petition Entred as voted on.

The House adjourn'd to the 25th currt.

Wednesday, May 25th the House met. The Petition of John Page & Benja Baker of South Hampton Read, & they & the Selectmen of South Hampton heard & voted that the Petition be dismist.

[p. 50.] Mr. Secy & Wibird bro't down Brentwood Petition to be reconsidered.

Mr. Secy & Elis Huske came with a Messa & copies abt a Recorder: Voted, That a Messa be sent to Mr. Daniel Pierce (in whose custody the Records of Deeds, &c. are since the Death of his father who was the Recorder) to appeare at the House Imediately. Mr. Jona. Thomson sent.

Mr. Secy came into the House with the Records of the Council in 1702, in Gov. Dudleys time. Mr. Daniel Pierce came, and said the Records were in his custody. Then the House desiered him to keep them till some Legal authority should demand them.

Somersworth Petition read & voted to serve the Selectmen of Dover, and to appr ye 3d day of the next Sessa.

P. M. The Petition of the old Parrish of Kingstown & the East P'ish Respond^{ts}, argued & voted to be Dismist.

J. Jeffry Cler. Ass^{m}.

The House adjourn^{d} to the 26th curr^{t}.

Thursday May 26th the House met. A vote past for an answer to the Sec^{ys} Mess^{a} from the Council, as on file, sent up.

Answer to the Council's Message, May 26, 1743.

[Copied from MS. "Correspondence," in Secretary's office, p. 171.]

In the House of Representatives, May 26th 1743. Voted That there be a Message sent to his Maj^{ts} Council as follows, viz.

Gentlemen of the Council —

By your verbal message yesterday to this House delivered by Mr. Sec^{y} Atkinson you was pleased to observe that ye Choise of a Recorder has been always in ye Three Branches of ye Legislature, and for proofe thereof at ye same time delivered sundry Records or Minuits from ye Council Books, wch we have carefully Examined. The Act on which you seam to Rely and point out, is bearing date ye 8th of June 1697, which is as follows:

"Be it Enacted by ye President and Council and Representatives convened "in General Assembly, *and it is hereby Enacted* by ye authority of ye same, "that all Records of all kinds Belonging to this Province before ye arrival here "of Jno. Usher, Esq. Lieut, Govr be deposited into ye hands of Maj^{r} Wm. "Vaughan, Esq. at Portsm^{o}, he giving copies to any that have occasion taking "the usual Fees for ye same."

But how this act shews that this Gentleman was then chosen a Recorder for this Province we can't conceive (for it plainly says ye Records of all kinds) so by y^{t} Rule he was then chosen into many other offices even as many as had publick Records, wch to us seems very preposterous; but we rather incline to Believe ye true Intent was that ye Records of all kinds was then Delivered into Mr. Vaughan's hands for safe keeping; For as some time before ye good people of this Province seemed to be threatened with ye total loss or at least ye misuse of y^{r} Records, and so its likely had been, had not Capt. Jno Pickrin by force taken them from one Sec^{y} Chamberlin(1), under Govr Cranfields administration in ye year 1689. Since which and from that time up to this time until within about this 20 years it never appears to us that ye choise of a Recorder was by ye Govr Council and Representatives; and indeed had y^{e} *President* (2) been longer we should think would have no weight at all considering all things, for as this Province was mostly under a Govr who was att ye same time Govr of ye Mass^{a} and ye Intrest of that and our Province of N. H. clashing, and ye Govr mostly maintained out of that Province wch naturly had a tendency to alienate their hearts from us, so we apprehend did not seem so likely that we could have common justice done us; but now that Difficulty being removed we hope and trust and have ye greatest Reason to Depend on *Justice*, clemency and favour from his Excellency & this Honble body, in establishing our Rights & Priviledges, so that on ye most mature Deliberation and as well as by ye advice of our constituants, we adhere to our former vote.

(1) See Vol. II, Province Records, pp. 295-296, and Vol. III, pp. 297-299.—Ed.
(2) Precedent?—Ed.

P. M.

Chester selectmens Petition about a Road from thence to Londonderry, to revive a Petition of the like nature formerly presented & their Respondents of the Town of Londonderry were heard by Councill &

Voted, That there be a Comittee sent to view the High ways, viz. y^t which is layd out and y^t which is Petitioned to be laid out and the said Comittee to make Return to the Gen^ll Ass^m at their next sessions, which place is most proper for a High way, and upon the Comittees Return to consider who shall pay the charge: and that Geo. Walton & Richard Jennes, Esqs. be a Comittee from this House to joyne such as the Honble the Council shall app^t to do the service above said. Sent up. The House then adjourn'd to the 27th curr^t.

Fryday May 27th—the House met. Richd Perry's petition read for 5 years wages of his son Richard Perry.

Mr. Sec^y & R. Wibird, Esq. came . . . . . a Mess^a ab^t a Recorder, they say don't know w^t vote the House refer'd to in the Mess^a & y^t ye Council are resolved to adhere to their Mess^a and y^t they will not give up their Right.

P. M. Mr. Sec^y came with a Mess^a ab^t the Records & bro't a coppy of Maj Vaughan in 1700 By the Genl Ass^m(1).

A vote past for a Mess^a to be sent up ab't a Recorder to be drawn faire & sent to morrow.

Voted, That Richd Perry be paid out of the Publick Treasury £75 old Ten^r for his sons wages as a souldier at Fort Wm & Mary from March 1737 to March 1742, in full of all demands. The House adjourn'd to ye 28th curr^t.

[P. 51.] Saturday May 28th 1743—The House met.

The Mess^a of the House in answ^r to Mr. Sec^y & Wibirds verball Mess^a & Perry's Petition sent up.

[Copied from MS. Corr. in Secretary's office, p. 173.]

In ye House of Representatives, May ye 28th 1743.

Gentlemen of ye Council

By your verbal message of the 27th curr^t Delivered by Sec^y Atkinson & Richd Wibird Esqr as you seem to be fixed and determined in choosing a Recorder by ye three branches of ye Legislature, to wch we can by no means consent to, for ye many Reasons heretofore given you, but att the same time rather than to have any Dispute with his Maj^ties Councill on this affaire we would consent to this, viz:

That ye Towns in this Province that doe send Representatives shall choose

(1) See Province Records, Vol. II, pp. 295, 296, 302.—Ed.

in each Respective Town the same number of men to be Electors, and when so chosen shall meet together and choose a Recorder; so that if his Maj^{ties} Council shall think proper to come into this method or any other whereby ye choise of a Recorder may be invested in ye people only, whose Right we esteem it to be, we shall come into it.

Voted, That Richd Jennes & Geo. Walton Esqs. be a Comittee of this House to joyne such as the Honble the Council shall appoint to Farm out the Excise of this Province and to do it by Publick Vendue to the Highest Bidder, and to lett it for two years from the 15th May curr^{t}, the farmer to give security and to pay halfe yearely. Sent up.

Mr. Sec^{y} came with a Mess^{a} from the President of the Council to know if the House had any thing to send up. The Speaker answered there was nothing before the House to send up.

Then the Sec^{y} said he was directed to adjourn the Gen^{ll} Ass^{m} to Monday next 4 o'clock, and Declared the Ass^{m} adjourn'd accordingly.

Monday, May 30th P. M. the House met. The House adjourned to the 31st curr^{t}.

Tuesday May 31st.—The House met. Voted that Messrs Jotham Odiorne & Hunking Wentworth be a Comittee of this House to joyne such as the Honble the Council shall appoint to tell over all such money as is to be Burnt, this Sessions, and make return thereof. Sent up.

J. J. Clr. Ass^{m}.

Saml Solley Esq. Bro't sev^{l} merch^{s} Petition Read & voted the Prayer of the Pet^{n}.

Voted That Messrs Peter Gilman & Mr. Hunking Wentworth be a Comittee of this House to joyne such as the Honble the Council shall appoint to audit the Treasurer's Accompts and all other accompts of the Province Bro't in this Sessions and to make their Return to the Genl Ass^{m} for acceptance. Sent up.

J. J. Cler. Ass^{m}.

Voted, That Thos Packer & Ichabod Roby Esq. be a Comittee of this House to joyne such as the Honble the Council shall app^{t} to Draw up an Additional act for ascertaining the size of Shingle, packing Pork &c. in ans^{r} to the Merch^{ts} Peti^{n}. Sent up.

P. M. Mr. Sec^{y} came wth a Mess^{a} from Govr & Council that the vote ab't Constables &c. was concurred. Capt. Odiorne add^{d} to Comitte H. Sherburn & Ellis Huske, & Excise H. Sher^{b} & Jos. Sherburn & Boards &c. Odiorn & Wibird & also an ans^{r} from ye Council y^{t} they can't com into the vote ab't ye Records & y^{t} his

Excell^{y} had given him in Com^{d} to Direct the House to proceed to the choice of a Recorder & let not the Records be shut up any longer.

The House then adjourned to the first day of June 1743.

[p. 52.] Wednesday, June the 1st 1743. The House met.

An Ans^{r} to the Sec^{ys} verbal Mess^{a} yesterday from the Council ab't a Recorder; another to his Excell^{y} ab't the same. Sent up.

[Copied from MS. Corr. in Secretary's office, p. 175.]

In the House of Representatives June 1st, 1743. Voted, That there be a Message sent to his Majesty's Council in Answer to their Message yesterday sent down by the Secretary as follows, viz.

Gentlemen of the Council—

By your verbal Message to this House yesterday by Mr. Secretary Atkinson, with respect to our votes & Messages for a Recorder, you was pleased to tell us that you could not by any means comply with them in one shape or another: To which we answer That the House in condesention to his Majesty's Council proposed sundry ways whereby a Recorder might be chosen—Provided it might be invested in the People whose undoubted right and Privilege we esteem it to be, & proposed to comply with it in any reasonable way. But since you seem to be resolved not to concur with us in any of our proposals, but insist on your own, which method we apprehend strips his Majesty's good subjects of a very valuable Priviledge to which we can by no means consent to, But are determined to adhere to our last vote in our Message, sent up the 28th of May last, with respect to a Recorder.

Message to his Excellency.

[Copied from MS. Corr. in Secretary's office, p. 169.]

In the House of Representatives, June 1st 1743.

Voted, That there be a Message sent to his Excellency, as follows, viz.

May it please your Excellency,

By your Excellency's verbal Message of yesterday by Mr. Secretary Atkinson, Telling us that we had sat this fortnight and done nothing & therefore desired we would proceed to the choyce of a Recorder, that so the Records might be secured & opened—To which we beg leave to make the following Reply: As to the security of the Records, we have endeavoured that they be secured for the present, and as soon as an Act can be obtained of the General Court investing the People either by themselves or their Representatives with Power to choose a recorder, which we think is their undoubted Right & Privilidge, we will imediately proceed to the choice of one so as the Records may be opened imediately.

Voted, That whereas the last Act for proportioning the Province Tax on the several Towns, &c. in this Province is neare Expiring, That there be an Act drawn up enabling the Treasurer to make out his Warrants for the Province Tax for two years ac-

cording to the last Proportion, y^n a new Proportion to be made, and that Capt. John Gage be of this House to joyne such as the Honble the Council shall appoint to draw up said act. Sent up. Mended P. M. sent up.

Voted, That Capt. John Gage be pd out of the Publick Treasury the sum of seven Pounds old Tennor for a pre. of Blankets the supplyd Capt. Cowas & his Squaw, Pr his Excellency's order.

P. M. Mr. Secretary came with a Mess^a from his Excell^y ab^t the Mess^a we sent up this day, That his Excellency could not understand w^t was meant by the House saying they had secured the Records & also that the Mess^a was mistaking his Mess^a yesterday in saying that the House had sat a fortnight and don nothing, and further That his Excellency has nothing before him about ye Recorder.

The House adjourned to the 2^d curr^t.

Thursday June the 2^d, 1743—the House met.

Mr. Mack Gregory's Petition read. Voted to notifie the advers party. Mr. Parker & others Petition read for a gate or gates & voted to serv ye Selectmen of Portsm^o. Both to be heard Tuesday next, or the 2^d day of the next—to shew cause. Sent up.

P. M. The House adjourn'd to the 3^d curr^t.

Fryday, the 3^d June, A. M. the House met.

Whereas Mr. Saml Morrison of Londonderry has represented to this House, That sundry persons living in Windham within the boundaries of Londonderry, has been rated to the Province Tax for the yeare 1742, both in Windham and in the District of Dracut & Methune, by virtue of the Act for Proportioning the Towns & Districts within this Province, and that Justice may be done, and the People not be double taxed & that the Gen^ll Ass^m may be rightly inform'd of the matter, Voted that the select men of Windam and also of the District of Methune and Dracut be and hereby are Directed to give Mr. Andrew Todd a list of the Rates of those p'sons y^t were so Rated to the Province Tax for the yeare 1742, & that the said Mr. Todd bring it with him to the Ass^m That they may act as is most conducive to Justice & that the Constables of both Districts be forbid to make distres till further order.

[P. 53.] John Downing Esq. Bro't down the Table of fees.

P. M. The Hilton's made a motion to be heard but they having slipt the day and the advers p'ty to be new notified, who appearing s^d his attorney was lame & could not attend, & desiered it might be put of till tomorrow, wch is granted at 9 o' the clock.

J. Sherburn & S. Solley, Esqs. Bro't down a Mess^{a} from the Honble the Council relating a Recorder. The House adjourn'd to the 4th curr^{t}.

Message from the Council.

[Copied from MS. Corr. in Secretary's office, p. 181.]

Province of New Hampsh^{r}

At a Council & General Assembly held at Portsm^{o} by adjournment upon Fryday, June the 3^{d} 1743, A. M.

His Majesty's Council came to the following resolve, That a Message be sent to the Honble the House of Representatives in the following words, viz.

Gentlemen

Forasmuch as a Delay in the appointment of a Recorder is both Dishonourable to the Province & verry Injurious to many of his Maj^{tys} subjects with respect to their Rights of freehold in this Province, The Law cannot have its due course in the respective Courts, & Private Persons in the utmost uncertainty in Buying & selling of any freehold Estate—We therefore earnestly recomend to your consideration the speedy choice of a recorder in the usual & comon method that hath been Practised for more than Twenty years past, in all which time & long before we find his Majesty's Council ever had a voyce, & therefore can by no means consistant with our Honour or oath make any alteration in the method of choosing: But do assure the Honble House we are willing & ready to joyn them in passing any Act for securing the Records by Prescribing the Quallifications of the Recorder either with respect to his real Estate in this Province, or the Bond that shall be required of him, or any other Quallification that shall be tho't necessary

By order of Council

Theodore Atkinson, Sec^{y}.

Saturday June the 4th 1743 A. M. The House met.

Allowed the Comittee for drawing a new Table of Fees the sum of forty three Pounds old Tenour.

Voted, That there be a Comittee of this House appointed to treat with a Comittee of the Honble the Council about a method for choosing a Recorder, and that Mr. Clarkson, Peter Gilman, John Gage & Ebenezer Stephens, Esqs be the said Comittee from this House for said affaire, and to do the same forthwith. Sent up.

Mr. Sec^{y} came with a Mess^{a} that the Council had chose a Comittee, & the Comittee of Council in answer to the above vote was ready to attend the affaire in the Council Chamber.

The Comittee of the House went up, & returnd & said that they could not come to any method; and then ye House unanimously voted to adhere to their former Mess^{a} & vote.

P. M. An act in add^{n} to an act ab't choice of Town officers, may be chosen at any other time than the annual meeting, read a 2^{d} time.

Mr. Sec^{y} came with a verbal Mess^{a} from his Excell^{y}, viz. To know if the House would proceed to the choice of a Recorder; the Speaker ask'd if it must be don this afternoon, The ans^{r} yes, and expected an answer & returnd.

Then the House debated on ye Mess^a (several members being absent) the House came into this Resolve, viz. That the House is ready to proceed to the choice of a Recorder according to their last vote. A Mess^a sent up.

Mr. Sec^y came & said, His Excell^y had directed him to adjourn the Genl Ass^m to Monday next 10 o' the clock before noone & then declared the Genl Ass^m adjournd accord^y.

Monday June the 6th. The House met.

P. M. The House adjournd to the 7th curr^t.

Tuesday, the 7th. The House met. Adj^d to 3 o'clock, P. M.

P. M. The Sec^y came with a written Mess^a from his Excell^y, and also that his Excell^y did not desier nor expect any written answer, but that the House would proceed to Business as in the Mess^a D^d.

The House adjournd to the 8th curr^t.

Message of his Excellency, June 6th, 1743.

[Copied from "Gov^rs Messages," in Secretary's office, p. 253.]

Gentlemen of the Assembly—

The message I sent you on Saturday last, by the Secretary, required a Categorical Answer; instead of which, the answer you were pleased to return was, that the House was ready to proceed to the choice of a Recorder con, formable to their own votes only, which I did not regard as an answer to my Message. This made it necessary for me to adjourn the General Assembly to this day.

On the 10th of May I met you in General Assembly, and after I had recommended in the most earnest manner, that unanimity & a serious attention to the public good might spread thro' every branch of power, I moved to you in terms which you have not forgot, that you would proceed to the choice of a Provincial Recorder, which to this day you have disregarded.

Upon the death of the Honble Joshua Peirce, Esq. late Recorder, I gave you an early testimony of my concern for the public, respecting the Records, whereby you had an opportunity put into your hands to open the records.

Imediately, and without any prejudice as I conceived to the Constitution, this you rejected;—for what reason I am not at present able to determine.

The present state of the Records I must observe to you, prevents the Courts of Law & Justice from having their due course, opens wide gates for expensive disputes amongst the people, greatly prejudicial to his Majesty's good subjects, & prevents me carrying my Royal Master's commands into Execution; and if you, Gentlemen, thr^o a mistaken zeal for the public good, or an over tenderness for the rights of the people originate disputes with his Majesty's Council on the mode of choice only (whether against Law, & precedent, I leave you to judge) who shall be answerable for the Event.

Gentlemen

Let me advise you to consider who you are contending with. Is it not with yourselves? Consider the evils that may arise from this dispute, and con-

sider also, that if it does not happyly Issue, it may terminate in takeing out of your hands what you are contending for, which otherwise might remain unshaken, & you & your Posterity might continue in the full enjoyment of this valuable privilege to the end of time.

The Enemies of our Constitution & Government will never gain any advantage over you while you are united amongst yourselves, but if once this Union is dissolved & the public tranquillity broken, the Enemy will soon take the advantage of our calamity. This has been the unhappy fate of great Citys & Kingdoms & may be ours, should intestine Jars & animosities prevail amongst us.

In the close of my first speech from the chair I caution'd you against false representations of things, which if once received, might deceive the honest & well disposed minds; I caution'd you also against persons that might make the lest attempt on the public tranquillity, let the attempt be disguised under any specious pretence whatever. Such a conduct I told you would give weight to your public deliberations & reflect honour on the Government.

Be assured that in this Message I have no views or designs of my own to answer, but what tend to the peace & welfare of my country & the happyness of the generations yet to come; far be it from me to seek to aggrandize myself in the ruins of my country. I neither mean or intend to Rob you of the lest of your privileges but would rather contribute to advance & Increase them, consistant with my Master's commands, which as a faithfull servant I shall endeavour to preserve, and I have so good an opinion of the House of Representatives as to think the far greater part meant & intended well in the stand they have made, but it is against custom & president in a Parliamentary way to pursue measures destructive to a country without a probability of success, & for that reason it is no dishonour to give up a point which can't be supported. Therefore, Gentlemen, let me advise & desire you to seek peace & pursue it. Consider the interest of your country calls upon you to do it. Come to some speedy reconciliation with his Majesties' Council in respect to the choice of the officer now depending, and so absolutely necessary to be Imediately Elected, and you shall have my good offices to assist you; and in this & in every thing else, you can reasonably desire, and tho' the Public concerns call for a longer day for your sitting, yet when this important affair is finished, I shall adjourn you for a short time.

B. Wentworth.

Council Chamber, June 6th, 1743.

[p. 54.] June the 8th 1743, a. m. The House met.

An act in addition to the acts for choosing Town officers at any time when there's a vacancy, Read three times & past to be Enacted, & sent up with the money Comittees accompt.

Upon consideration of the Messa sent yesterday by his Excelly Relan to a Recorder, a unanimous vote past, That the choice of a Recorder be in this House or Imediately in the People & not in the three branches of the Legislature.

The House adjourned for two hours, p. m.

P. M. Richd Hiltons Petition began to be read. Capt. *Hurst* desiered it might be continued a little time till he went for his papers, which was with Mr. Livermore.

Richard Hiltons Petition read after several adjournments the prayer & consent of the Parties from time to time to this day,

and at the time of hearing Ellis *Hust* (1) Esq. came into the House and pray'd some little time longer to get his Council or papers. The House having waited an hour & more beyond the time given for Mr. Huske appearing, and being informed that his Council could not attend, the said Hilton's Council agreed to leave the Court to Judge on the papers without argument on either side. The House having considered thereon, Voted that the Prayer of the Petition be granted and y^t the Petitioner have liberty to bring in a Bill accordingly.

George Peirce & others Petition for gates &c. read & voted as on the Petition liberty to bring a Bill for Gates; but not for the Quar^r Sessions to make any such grant as to hang gates on any high-way.

The House adjourn'd to the 9th curr^t.

Thursday, June the 9th — The House met.

The Petition of Alexander MacGregory pray*in* a revival of an action against Matthew Morton. Granted. All the 3 Petitions sent up.

A verbal Mess^a pr Mr. Sec^y from his Excell^y viz. to know if the House would proceed to the choice of a Recorder as has been practised & to send an answer.

Mr. Sec^y came againe to know if the House intended to send an answer to his Excell^ys Mess^a. The Speaker answ^d it was preparing.

A vote past in answer to the Mess^a as on file (2). Sent up.

Mr. Sec^y came and by his Excelly^s order adj^d to Monday the 20th curr^t 10 o' the clock A. M.

[P. 55.] June 20th 1743. The House met according to adjournment. Adj^d for 2 hours, P. M.

P. M. Adjourned to the 21st curr^t.

June 21st A. M. The House met.

P. M. the Sec^y came to know if any thing was likely to come up to night.

The House adjournd to the 22^d curr^t.

(1) This name should be written *Ellis Huske*. It is frequently mis-spelt, both in the Journal of the House and of the Council and Assembly; we find it written *Hirst*, *Hurst*, *Hust*, and *Starke*. This latter is found frequently in the Journal of the General Assembly. As the true name is unmistakably *Huske*, the editor has in all cases hereafter so written it.—ED.

(2) This answer is not found on record or on file.

Wednesday June 22, A. M. The House met.

Mr. Sec^y Bro't a written Mess^e from his Excell^y which was read and is on file.

Message of the Governour, June 22, 1743.

[Copied from MS. "Gov^rs Messages," in Secretary's office, p. 257.]

Gentlemen of the Assembly,

I was hoping that the short adjournment I gave you would have bro't you together determined to pursue the Publick Concerns with chearfullness, & that the first thing *you* would have acted upon would have been to make choice of a Recorder in the ordinary & customary way.

It is an unhappy circumstance attending this Session that any other way or method was enter'd upon, but since it was the general voice of the House to go upon a new method, which they conceived would have been advantageous to the people could it have been obtained, I should think the time already spent on that subject, the opposition it meets with in the King's Council & the utter impossibility of effecting it without his Majesty's especial leave, would be an ample justification to the House of the care & concern you have taken for your constituants upon this occasion, & therefore out of tenderness to the people, whom Providence has given me the care of & whose interest I shall ever seek to advance, I am in duty bound to press the choice of a Provincial Recorder to you once more, and that it be done without any further delay, assuring you that no alteration can be made in this or any other Branch of our Constitution without I first obtain my Royall Master's leave therefor. This I think proper to lay before you to prevent disputes of this nature in future.

B. WENTWORTH.

Council Chamber at Portsm^o
June 22^d, 1743.

P. M. The Return from the District of Methune & Dracut & Londonderry ab't those p'sons y^t were double Rated was Bro't in and voted that those p'sons that were doubly Rated should pay their Respective Province Rates to the P'ish of Windham & that the District of Methune & Dracut be abated the sum of £19 pounds 7 : 4 part of the Proportion they were to pay for their Prov. Tax for the yeare 1743. The House adjourned to the 23 — A. M.

Thursday, June 23^d — the House met. The above sent up. The Table Fees past on to be amended & Enacted.

P. M. Then sent up pr Mr. Tole & Elkins. The House adjourn'd to the 24th.

Fryday, June 24th A. M. the House met. The Question was put if Mr. Jotham Odiorn should be allowed his day in the Clerk's entry for the 23^d curr^t he only appearing after adjournm^t A. M. and not appearing P. M. It past in the neg^a & that the clerk strike out y^t day.

P. M. The House adjorn'd to the 25th curr^t.

Saturday, June 25th A. M.—the House met.

Richd Hilton's Bill read 3 times & past to be Enacted. Sent up.

John Ober & Peasly Petition Read & voted to serve the Select men of Windham with a copy & to appr ye 7 of July next, if then sitting, if not the 3d day of next Sessions, & yt the Constables & Collectors of Windham make no distress for any Taxes or rates (except ye Province Tax) till after hearing next Ss. Sent up for Conr.

Mr. Secy came into the House and said that his Excelly had directed him to adjourn the Genl Assm to Monday next 10 of the clock A. M. and then declared the Gen. Assm Prorogued accordingly.

[P. 56.] Monday June 27th A. D. 1743. The House met. Adjourn'd for 2 hours P. M.

P. M. A Messa from the Board pr J. Downing, Esq. to know if there was likely for any thing to be sent up this afternoon. The additional act abt Highways read. Then the House adjourn'd to the 28th currt.

Tuesday, June 28th A. M. the House met.

Capt. Roby sent a Messa to the Board to know if they had pass upon the Table of Fees.

An act in addn to an Act Entituled An Act for Establishing Courts of Public Justice within this Province, Read a 3d time & past to be enacted & Engross'd to continue for ten years.

There was bro't in & Burnt of the Province Tax for the yeare 1742, the sum of twenty one hundred and sixty nine pounds.

Mr. Secy came with a Messa from the Board that they were examining the Table of Fees & that one of their Comittee was sick which cause them some more time to inquire into things.

P. M. More money of the Tax money for the year 1743—the sum of Eight hundred eighty three pounds fourteen shillings & seven pence halfe penny. The House adjournd to the 29th currt.

Wednesday, June 29th—The House met. The Question was put whether Capt. Wallensford shall be allowed a day for the 24th currt, he only appearing in the forenoon ab't an hour. It past in the negative, and that the Clerk strike that day out of Entry.

The Question was put whether the fines for a members absenting himself without leave shall be advanced. It past in the affirmative. And voted, That the fine be made 10*s* old Tenor insted of the former fine of five shillings.

The additional act ab't High Ways Read three times & past to be Enacted & Engross'd & to continue for 4 years & no longer. Sent up.

The Question put, Whether the House would proceed to the choice of a Recorder in the old way of choosing a Recorder (the House saving Right to the People for the future to come into some other way as may be tho't convenient.) [P. 57.] The Question past in the affirmative. The Ruff Draft of a vote for Mr. Daniell [—] to be Recorder drawd & past — to be drawd faire & formd.

P. M. The Speaker being absent, and a Quorum of the House met, they ordered the Clerk to put the vote for Ebenezr Stephens, Esq. to be Speaker Pro tempore. He was chosen unanimously.

Mr. Secy Bro't down a Petition of Anna Folsam, Colcord & Light, read, voted on & sent up.

The Secy came with a Messa that the Council were exame the Table of Fees as fast as they could.

An act to Regulate the making and repairing Fences read three times and past to be Enacted & engross'd & sent up. The House adjourn'd to the 30th currt.

Thursday, June 30th A. M. The House met.

Allowed Mrs. Ann Slayton £14: 6 in full for charge of the Excise Comittee, June 9th 1743.

In the House of Representatives, June 29th 1743.

Voted, That Daniel Peirce, Esq. be Recorder of Deeds and conveyances of Lands for this Province for one yeare from the last day of June currt and until the End of the next sessions of Genl Assm after the yeare is up, and that the said Recorder when sworn unto the faithful discharge of his said office shall give his Bond with sufficient sureties to the Comittee that are mentioned in this vote to take charge of the Records & papers in case of death or Incapacity of said Recorder, in the sum of two thousand pounds Lawful money for the faithfull discharge of his office & that Andrew Wiggin, Esq. James Clarkson, Esq. Mr. Jotham Odiorne junr, Capt. George Walker & Mr. Hunking Wentworth be a Comittee to take the Books of Records & papers into Custody, In case of Death or Incapacity of said Recorder, and in case of the Death or Incapacity of said Recorder, that then said Comittee or the major part of them, Immediately take & secure the said Records & papers belonging to said office & keep the same in safe custody till another Recorder is chosen or otherwise ordered by the Genll Assm, And that said Comittee take a list of all Books belonging to said office and a Receipt for the same from [P. 58.] the said Recorder, and that said Committee be under oath to the faithfull discharge of their Trust. Sent up ye 30th.

An act for Dividing some lands of Jono. Follsam Deceasd late

of Exeter amongst some partners that are minors &c. Past to be Enacted. Sent up.

Voted That Richd Nason be paid out of the Publick Treasury 40*s* for his service as Express in ye yeare 1740.

John Downing, Esq. Bro't down the vote ab't the Recorder with the vote of Council thereon, viz.

In Council, June 30th 1743.

Read & concurr'd with this amendm^{t} viz. That the Bond mentioned to be given by the Recorder in the above vote, Instead of being made payable to the Comittee mentioned, be made payable to the Treasurer of the Province for the time being & that the said Bond be given before the oath of office is adm^{d} & that Henry Sherburn, Ellis Huske, & Richd Wibird, Esqs. be of said comittee.

Theodore Atkinson, Sec^{y}.

Eod^{m} Die. In the House of Representatives, the above vote of Council Read and concurr'd with this amendm^{t}, namely, that Henry Sherburne, Ellis Husk & Richd Wibird, Esqs appointed by his Majesty's Council be left out of s^{d} committee. Sent up.

James Jeffry Cler. Ass^{m}.

P. M. John Hall's Petition for relief agst a Mortgage to Capt. Rindge, Read, and a Comittee sent to know Madam Rindge's mind & consent in the affaire,—who answered she was content. Then Voted, That the prayer of the Petition be granted & leave to bring in a Bill.

In the House, &c. Voted, That James Clarkson, Esq. & Capt. John Gage be a comittee of this House to joyn such as the Honble the Council shall app^{t} to consult and draw up some Dra^{t} to be made into a Temporary Law for the enabling those that live to the northward of Hazen & Mitchell Lines to make Ministers Rates & Province Taxes, that live on the Kings Lands, according to the Recomendations in his Excell^{ys} speech at the opening this Sessions, and make Return to the Ass^{m} as soon as possible.

Mr. Sec^{y} came with a Mess^{a} from the Board y^{t} the Council had non concur'd the amendm^{t} on ye vote for the Recorder.

[P. 59.] A new vote for a Recorder sent up, to be Bor^{d} againe of the Sec^{y}—(the coppy now Entred below in this Leaf.)

Andrew & Gillman & others of the north^{ly} part of Brentwood's Petition Read—pd.

The House adjourn'd to July the 1st 1743.

Fryday July 1st A. M. The House met.

A vote for a Comittee to draw up something to Relieve those that live to the northward of Mitchells & Hazen's Lines on the Kings Lands.

A Mess^{a} sent up pr Mr. Clarkson to know if there was any thing acted on ye vote ab't the Province Tax according to the last proportion &c.

Mr. Sec^{y} Bro't down our vote of yesterday ab't a Recorder, with a Mess^{a} that the Council could not concur unless they had the nomination of some of the Council themselves.

In the House of Represent's June 30th 1743.

Voted, That Daniel Peirce, Gen^{t} be Recorder of Deeds & Conveyances of Lands for this Province for one yeare from the last day of June and until the end of the next Sessions of Genl Ass^{m} after the yeare is up, and that the said Recorder shall give his Bond with sufficient sureties to the Treasurer of the Province for the time being in the sum of 2000£ lawful money for the faithful discharge of his office, And then to take an oath for the faithful discharge of his s^{d} office; And that Andrew Wiggin, Henry Sherburn, Richd Wibird, Esqs. and Messrs Hunking Wentworth & Jotham Odiorn, jun. be a Comittee to take the Books of Records & Papers into custody, In case of Death or Incapacity of said Recorder, & in case of Death or Incapacity of s^{d} Recorder, that then said Comittee or the Maj^{r} part of them shall immediately take & secure the said Records & papers belonging to said office & keep the same in safe custody till another Recorder is chosen or otherwise Ordered by the Genl Ass^{m} & that the said Comittee take a list of all Bookes belonging to said office & take receipt for the same from the said Recorder & that said Comittee be under oath to the faithfull discharge of their Trust.

The Sec^{y} Mess^{a} above was answ^{r} to this vote. } James Jeffrey, Cler. Ass^{m}.

A Mess^{a} pr. Mr. Sec^{y} that the Council had concurr'd wth the vote for Recorder with some Remark on it, that it might not be Drawn into president.

In the House of Represent^{s}, Voted That there be paid out of the Publick Treasury to James Jaffry for his servis as Clerk of the House of Representatives from May 1742 to this 25th of June 1743, in full of all demands for said servis, the sum of Forty pounds old Tennor—to be paid out of the contingencies.

[p. 60.] In the House of Representatives, July 1st 1743.

Voted, Mr. James Jeffrey be clerk of the House of Representives & for his servis as Clerk he is to have twenty-five Pounds old Tennor pr annum, and to be paid half yearly for so long as he serves as Clerk of said House—his time commences the 25th of June 1743.

Mr. Sec^{y} came with a Mess^{a} that his Excell^{y} had assented to the vote for a Recorder; and that Mr. Pierce was sent for & that it would be necessary that the Comittee should proceed to take the Bonds, y^{t} the Records may be open.

Voted That three hundred pounds new Tenour be paid his Ex-

cell^y towards his support as Govr until the Interest of the 25000£ Bill take effect, then to be Repaid out of the Interest of that money that is therein appropriated for paym^t of his Excelly^s Salary of 250£ pr annum; if that act never get the Royall assent, then the above sum to be as so much p^d as his Excelly^s salary of 250£(1) Settled &c.

Voted, That there be paid out of the Publick Treasury to the Comittee for selling the Excise & taking Bonds, to three of the four 20*s* each, & to Coll. Henry Sherburn 10*s* in full of the six pounds charg'd. The House adjourn'd to the 2^d curr^t.

Saturday, July 2^d 1743, A. M. The House met. The Comittee for selling the Excise made their Return of the sale.

Prov. N. Hamp^r. We the Subscribers being appointed a Comittee to sell the Excise on Liquors for two years from the 15th day of May last past, accordingly on the 9th June last did sell the same at Publick Vendue to Mr. Ch^a Gorwood for the sum of nine hundred & twenty-nine pounds pr annum, old Tenor, Taking his Bond for the same wth two sureties, and the same to be paid half yeare.

H. Sherburn — Richd Jennes
Jos. Sherburn — Geo. Walton.
Comittee

Portsm^o 1st July 1743.

[P. 61.] In the House of Represen^ts July 2^d 1743.

Whereas in the last Supply Bill in the Estimate of the charge for the year 1742, there was put therein for Benj^a Akerman as doorkeeper the sum of three pounds fifteen shillings; And since that act passed, viz. on the first day of December 1742, there was a vote past in the House of Represen^ts that there be paid Benj^a Akerman for his service as Dorekeeper for the yeare 1742, ending at April 1743, the sum of seven pounds ten shillings Proclamation money: And whereas the said Benj^a Akerman has rec^d the sum of three pounds fifteen shillings Proclamation money as allowed in the estimate aforesaid —

Voted that there be paid out of the Publick Treasury the sum of three pounds fifteen shillings more Proclamation money, in full for his service as Dore keeper for the yeare 1742, Ending April last, out of the Contingencies.

Mr. Atkinson's acct for a Ream of Paper from Mr. Thom^s Hancock, at £6: 10, allowed Old Tenor.

It was put to vote, Whether those persons that was Rated to Windham & Dracut & Methune, that fall in Windham, should belong to Windham for the paym^t of their Prov. Tax, which past in the afirm^a; and as for 16 of them that usually paid to the Ministers of Windham do still pay to that ministry and not rated to any other P'ish charge, till the Disputes are settled & District made — this for to draw up an act by.

(1) In the margin: "A larger vote made the 2d of July."—Ed.

A vote past for his Excell^{y} to draw £300, conditionally, on file. The House adjourned for 2 hours, P. M.

P. M. An act for supplying the Treasury with the sum of £300 in Bills &c. An act reviving an act passed in the 15—? for taxing certain Districts. An act for Proportioning the Prov. Tax to each Town, &c. all read 3 times & past to be Enacted & sent up &c. The Govr Vote for £300 sent up.

[P. 62.] The Question was put whether the House would send a Comittee to view the new Settlem^{ts} from Merrymack river to Connecticut river and the Settlem^{ts} on Connecticut river. It past in the affirmative, &

Voted That Ebenez^{r} Stephens, Esq. be of this House to joyne such as the Council shall appoint to go and view the new Settlem^{ts} between the River Merrymack & Connecticut Rivers, and up Connecticut River where there are settlem^{ts} and at such places where they can be Inform'd that settlem^{ts} are made and to make return of their Information & view to the Gen^{ll} Assembly as soon as they conveniently can. Sent up.

The Comittee for drawing the Fees allow'd but 15*s* pr diem instead of 20*s* per diem.

Mr. Sec^{y} came with a Mess^{a} from his Excell^{y} that he tho't 'twas needless at present to send a Comittee to Connecticut, for that he w'd write Coll. Willard & Hensdale (1) and after advice from y^{m} to send if tho't needfull.

Mr. Sec^{y} came & said that his Excell^{y} had ordered him to adjourn the Gen^{ll} Ass^{m} to the 20th 7^{br} next, and then Declar'd the Genl Assm. adjourn'd accordingly.

Vote for Fees, & an Act past, only ye Table must be annexed. Vote ab^{t} the Truck master not past, because it is his Maj^{ties} prerogative to app^{t} the p'son, but to be accountable ab^{t} the powder Comiss^{n} £107 : 11, & y^{t} there should be men app^{d} for ye Fort in case his own vote 18£ 15 : he shall accept for this yeare.(2)

The Question was put if the House should Reconsider their vote ab^{t} the Truck master on the Sec^{y} Mess^{a}, or whether they won'd adhere to their form^{r} vote. The House voted That they & send a verbal Mess^{a} in Ans^{r}. And the Question was put if the House would stand by their vote to app^{t} a Truck master. It past unanimous y^{t} they would.

[P. 63.] Septr the 20th. The House met according to adjournment.

Mr. Sec^{y} came with a Mess^{a} That his Excell^{y} required the attend^{a} of the Speaker and the House in the Council Chamber.

(1) One of the early settlers on the Connecticut river, (within the territory set off to New Hampshire,) was Col. EBENEZER HINSDALE. From him the town of Hinsdale, N. N., received its name. He was a gentleman of great enterprise and energy, and highly esteemed for his talents and virtues.—ED.

(2) The original is obscure and meaning dubious.—ED.

Mr. Speaker and the House went up accordingly.

His Excell^{y} made a Speech. Mr. Speaker pray'd a coppy & Returned. Mr. Sec^{y} Bro't the Speech for the Clark to coppy & returne. Mr. Sec^{y} came with 3 papers Rep^{ts} made at home to be return'd ag^{e}. The Speech read (1).

The House adjourn'd to the 21st curr^{t}.

Wednesday, Sept 21st 1743. The House met.

In the House of Representatives, Voted, That his Excell^{y} be desiered to order the Grand Comittee for the £15000 loan imediately to call in the money outstanding on that Loan, or put the Acts in that affaire made and provided forthwith in Execution.

J. J. Cler. Ass^{m}.

Eod^{m} Die. Voted That Messrs Jas. Clarkson & Maj^{r} Peter Gilman be a Comittee of this House to joyn such as the Honble the Council shall appoint to consider and draw up & Report to the Genl Ass^{m} what may be further necessary to be don to Rectifie any deficiency that may [have] been overseen in drawing up the act for the £25000 Loan, and what may be further Done in putting the said act in Execution, and for Drawing up a short additional act thereto, as soon as possible.

Eod^{m} Die. Voted That Messrs James Clarkson & Maj^{r} Peter Gilman be a Comittee of this House to draw up an Answ^{r} to Excelly^{s} Speech and lay it before the House for approbation.

In the House, &c. Voted, That one Quarter part of the twenty five thousand pounds now to be Emitted on the loan act, be struck off of the small plate the last Emission was struck off from, and three Quarters from the great plate that the said last Emission [p. 64.] was struck from with som small alteration as shall be directed from the Gen^{ll} Ass^{m}(2).

The House adjourn'd to the 22^{d} curr^{t}.

Thursday, 7^{br} the 22^{d} A. M. A. D. 1743. The House met.

The Committee that was sent to view the High way from Chester to Londonderry made their Return, viz. That they find that the way formerly laid out from Derry to Chester is the most convenient way for the accomodation of Both Towns aforesaid and for other Travellers in Genl. Signed (3)

J. Downing }
Geo. Walton } Comittee
R. Jennes— }

(1) This Speech is found in the "Journal of the General Assembly," which see.—Ed.
(2), (3) The two paragraphs above are *crossed* in the original copy.—Ed.

Which Return was read and accepted, and Voted & ordered that the said High way formerly laid out from Londonderry to Chester be the Highway allowed, & that all obstruction in or on the same be removed & the said way be the Publick Road, and that the Petitioners from Chester pay the charge of the Comittee sent, each p'son thirty shilling old Tenor pr Diem, for their Labour & charge (1).

P. M. In the House of Representatives.

Resolved, That all the Plates whereon any Bills of Credit of this Province has been struck of from, be put into the hands of the present Treasurer, there to lye for safe keeping (without defacing) till further order from the Gen^ll Assembly & that Ebenez^r Stephens & Icabod Roby, Esqs. be a Comittee of this House to joyn such as the Honble the Council shall appoint to receive the old Plates from Coll. Henry Sherburn the late Treasurer, and deliver them to the present Treasurer & take his receipt for them, and make return of their doings. Sent up.

The Comittee that was appointed to view Brentwood P'ish ab^t their meeting-house made their Return.

An act ab't the £25000 Loan read. Then the House adjourn'd to the 23^d curr^t.

Fryday, 7^br 23^d A. M. The House met.

The Return of the Brentwood Petition read and accepted & voted that the Return be accepted, and that they continue at the old Meeting House for the space of foure years, and at the Expiration [P. 65.] thereof the maj^r Part of the voters in said P'ish at that time shall set the meeting House for Publick worship where they think proper.

Mr. Sec^y bro't down a vote of Council made on a Representation of 34 of the Inhabitants of the District of Nottingham (2) & Litchfield on Merrymack ab't suspending paym^t of the Ministers Rates &c. till the 2^d Tuesday of the next sitting of the Gen^ll Ass^m.

P. M. Mr. Sec^y Bro't a Petition from Mr. John Eyre & recomended it to the consideration of the House to allow some or all as was desiered. The House considered thereon.

Voted, That the said Petition be dismiss'd for ever.

In the House of Representatives, The answer to his Excelly^s Speech sent up.(3)

Whereas there was an Act Entituled "An Act more effectually to prevent the Counterfeiting the Bills of Credit on this Province" past the 17th November 1738, which Act was to be in force from the Publication thereof, and whereas there is no record that

(1) The paragraph above is *crossed* in the original copy.—ED.

(2) Now Hudson.—ED.

(3) This answer is recorded in "Journal of the Assembly," which see.—ED.

ever the said Act was published, Wherefore Voted, That Mr. Secy do forthwith Publish the same act in form, and afterwards get the said act incerted in some of the publick Prints that it may be publickly known there is such a Law & yt the Treasurer pay the charges—*be pd by the Treasurer.* Sent up ye 24th.

Voted, That the signers of the £25000 Loan be paid for signing the Bills the sum of two & halfe pr ct. old Tenor upon the whole.

Voted, That the Trustees for letting out the £25000 shall be pd for their Labour or service. That those that care of Press for striking the same Loan be paid. The House adjourn'd to the 24th currt.

Saturday, Sept. the 24th A. M. The House met.

Province of New hampr, Portsmouth, Sept. 23, 1743, Recd of Andrew Wiggin, Jotham Odiorn & Hunking Wentworth Esqs. as a Comittee appointed by the General Court for the Books of [p. 66.] Records for said Province, which in number are as follows, viz. Five small Books of sundry sorts of Records, No. a, b, c, d & A, & one Paper Book no Number, as also Twenty six Books of Records from No. 1 to 26 Books, as also a number of files of Papers. I say Recd Pr D. Pierce Recorder. Verry copy of the Originl.

A vote past for paymt of the Signers, tenders of the Press & Trustees as on file.

An act for the Better Executing an Act Entituled an Act for Emitting the sum of £25000 read 3 times and past.

An Act for granting unto his most sacred Majtie the sum of 980£ in Bills of Credit equal to Proclamation money, Read 3 times and past to be Enacted.

P. M. Mr. Secy came to the House and said his Excelly had directed him to adjourn the Genll Assm to the 26th currt and he declared in his Majties name the Genll Assm adjourned accordingly.

Monday, Sept. 26th 1743, the House met. A vote past for paymt of the signers, tenders of the Press, &c.

The House adjourn'd to the 27th currt.

Tuesday, Sept. 27th A. M. the House met. An Act in addn to and for Rendering more effectual an act for the better regulating Highways, Past to be enacted. Sent up. Not assented to.

Pursuant to an act Entituled "An act for the granting unto his most Excellent Majtie the sum of £4720 in Bills of Credit of this

Province equal to so much Proclamation money for supplying the Treasury, &c." wherein several species are to be Rated by the Gen^{ll} Ass^{m} for each Respective yeare it is to be paid into the Treasury for that yeare, In pursuance of the clause in that act, Voted, That the Prices of the several species for the yeare 1743 sett by the Gen^{ll} Ass^{m} be as follows: as on file.

P. M. A vote for paym^{t} of Mr. Johnson, &c. sent up as on file.

Voted, That if any member do not appeare by 1-2 an houre after eight of the clock to morrow morning, shall forfeit 5*s*. The House adjourn'd to the 28th curr^{t}.

Wednesday, Sep^{t} 28th A. M. the House met as Entred. The Form of the Mortgages & Forms of the Bonds of the Trustees & Signers &c. for the £25000 Bro't in & Read & Voted that as forms they be accepted and that the same form be made use of in the Proceedings.

[P. 67.] Voted, That for the suitable support of his Maj^{ties} Inginere, that may come to view Fort Wm & Mary, &c. in order for Repairing that and Building other Forts & Garrisons in this Governm^{t} as shall be advised & Directed, That his Excell^{y} be Desiered to Draw out of the Treasury out of the money laid in for contingincies such sum or sums for that use as there shall be occasion for not exceeding Twenty pounds.

An act for the more effectual assessing & collecting the Province Taxes. Read three times and past to be Enacted.

Mr. Sec^{y} came to know if the House intended to make any answer to the Message his Excell^{y} sent.

[NOTE. The following is the Message referred to, copied from MS. "Gov^{rs} Messages," in Secretary's office, p. 265.]

Governor's Message.

Sept. 28, 1743.

Gentlemen of the Assembly,

Upon a complaint of Samuel Solly, Esq. Collector of his Majesty's Customs in the Port of Piscataqua, That on the Thirty first day of Augst last, between the hours of ten & eleven at night, several persons seiz'd the person of Cyprian Jeffry, a waiter belonging to his Majesty's Customs in the Port aforesaid, & did treat him in a most violent & barbarous manner, as is more fully set forth in the complaint of his Majesties' Collector, which I have directed the Secretary to communicate to you. The persons thus assembled in this tumultuous manner, being apprehensive of a prosecution dropt in the House of Matthew Livermore Esq. a threatening letter, hoping thereby to Intimidate the Attorney General from Prosecuting them, if any discovery should be made of their crimes. The original letter the Secretary will also communicate to you, upon which I make no doubt but you will vote a sufficient Reward to enable me to Issue out a Proclamation for the Discovery of the person or persons concern'd in this Riot, that they may be brought to condign punishment.

B. WENTWORTH.

Council Chamber, 28th Sept. 1743.

NOTE. To this Message, no answer appears to have been returned by the House.—ED.

Mr. Sec^{y} came with a Mess^{a} That several acts are past & that his Excell^{y} had ordered him to Prorogue the Gen^{ll} Ass^{m} to 22^{d} 9^{br}, and accordingly Declared the Gen^{ll}—Prorogued accordingly.

[P. 68.] Tuesday 9^{br} 22^{d} 1743. The House met according to Prorogation. Adjourn'd for 1 1-2 hour.

P. M. Mr. Secretary came wth a Mess^{a} viz. That his Excell^{y} had directed him to adjourn the Gen^{ll} Assembly to the 29th curr^{t} 10 o'clock, A. M. and then Declared the Genl—adjourn'd accordingly.

Tuesday 9^{br} 29th the House met according to adjournm^{t}. Mr. Sec^{y} came with a Mess^{a} viz. That his Excell^{y} required the attendance att Council Board, at his House. Mr. Speaker and the House went accordingly. His Excell^{y} made a speech (1). Mr. Speaker prayed a Coppy and return'd. The speech read.

Voted, That James Clarkson, Esq. and Icabod Roby Esq. be a Comittee of this House to answer his Excelly^{s} speech and bring their dra'^{t} for approbation. Then the House adjourn'd to the 30th curr^{t}.

Wednesday 9^{br} 30th A. M. the House met.

Mr. Secretary came with two papers, & likewise a letter from Whitehall from ye Ld Justices. Also the Rec^{r} Gen^{ll} accompt of Powder.

Nottingham people heard on their Petition. Mr. Speaker being absent, Eb. Stephens was chosen speak^{r} Protemp^{r}.

Nottingham men being heard, Voted That the Petition be dismiss'd.

P. M. The House adjourn'd to Decr 1st, 1743.

Thursday X^{br} the first, A. M. the House met.

In the House of Represen^{t} voted that Coll. Gillman & Mr. Hunking Wentworth be a Comittee of this House to joyn such as the Honble council shall appoint to audit the Treas^{r} acct^{t} & all other accompts and make return to the Gen^{ll} Ass^{m} as soon as possible.

Philbrook & others Petition ab^{t} Division of Dividing John Foulshams Estate Read & voted it be granted.

(1) This speech is recorded at length in "Journal of General Assembly," which see..—Ed.

P. M. Summersworth Petition Read & voted to serve the select men of Dover at the Petitioners cost & to app^{e} the sitting of the Gen^{ll} Ass^{m} at their next Sessions.

The House adjourned to the 2^{d} curr^{t}.

[p. 69.] Fryday X^{br} 2^{d} a. m. 1743, the House met.

Voted, That Coll. Peter Gilman and Ebenezer Stephens, Esq. be a Comittee of this House to joyn such as the Honble Council shall appoint to Inquire about the Hireing a House for his Excell^{y} to live in, and w^{t} Rent they can agree for & what time and how to be fitted or Repaired and make Report to the Gen^{ll} Ass^{m} of their Doings therein as soon as possible.

P. M. Brentwood Petitioners heard. Mr. Russel appeared and gave in his Reason why he and Langdon signed the Return and not Barker.

West end of Dover heard. It was put to [vote] if either of the Returns should be accep^{d} Neg^{e}.

The House adjourn'd to the 3^{d} curr^{t}.

Saturday X^{br} the 3^{d} a. m. the House met.

Voted That Brentwood *Wood* Petition and all the affairs & Proceedings thereon be totally Dismiss'd.

The Petition of the Inhabitants of the West End of Dover & part of Durham for a District Read. Mr. Sec^{y} came with order from his Excell^{y} to adjourn the Gen^{ll} Assm. to Monday next, 3 o'clock afternoon & then declar'd the Gen^{ll} Ass^{m} adj^{d} accordingly.

Monday, December 5th 1743, the House met and Adj^{d} to the 6th curr^{t}.

Tuesday, X^{br} 6, a. m. The House met.

Whereas the affaire of the Table of Fees has laine before the Honble Council for consideration some consid^{e} time, and the period is almost expired, There being now absolute neces^{ty} that that affaire should now be settled, that the Courts, &c. may proceed on certainty, Therefore the House desiers the Honble Council would pass upon the same, that the maine Busi^{s} of the sessions may be carre'd on.

[p. 70.] Messrs Atkinson & Wibird came with a Mess^{a} in answer to the vote sent up the forenoon, viz. That the Council

had made some Querys on the Table of Fees and had given them to the King's Att^{y} for his advice, and that he desierd the Table of Fees to form his Judgm^{t} thereon, and as soon as he dos give in his Return the Council will act thereon.

The House adjourn'd to the 7th curr^{t}.

Wednesday X^{br} 7th A. M. The House met.

P. M. Adjourn'd to the 8th curr^{t}. (Mr. Sec^{y} & Huske came with the King's Att^{y} answ^{r} to the Querrys a coppy on file.)

Thursday, December 8th. The House met.

A vote to enable the Recorder to p'fect the Books & Deeds &c. Sent up. Brentwood Petition sent up.

Allowed Thomas Lane of Hampton 40*s* old Ten^{r} for his service & attend^{a} on the Comiss^{rs} ab^{t} the Lines.

Allowed Mary Seward the sum of three pounds eleven shillings (old Tenor) for Entertaining two Indians, 3 days each 8^{br} last.

The West part of Dover Petitioners were heard.

P. M. In the House of Representatives.

Voted, That Coll. Peter Gillman & Thomas Packer, Esqs. be a Comittee of this House to joyne such as the Honble the Council shall app^{t} to go and take a Dra't of the whole Township of Dover, and to sett off that part that is set off to Durham, & likewise set off w^{t} is Sumersworth and then to sett off w^{t} they think necessary for a new Parrish at Madbury and to represent the Quantity and Quality of the Lands in the P'ish of old Dover and that proposed for Madbury in the best manner they can, and to make their Return at the next sitting of the Gen^{ll} Ass^{m} (1). Another vote on file for a comittee. The House adjourn'd to the 9th curr^{t}.

Fryday X^{br} the 9th, A. M. The House met. The vote ab^{t} the Westerly p^{t} of Dover sent up.

Epson Pet^{n} read. The House adjourn'd to the 10th curr^{t}.

Saturday X^{br} 10th. The House met. A Mess^{n} sent to Enq^{r} w^{t} was done on the Table of Fees.

Ans^{r}. It lies under consideration. The House adjourn'd to Monday the 12th curr^{t} at 2 o'clock, P. M.

(1) The record of this vote is *crossed*.—ED.

[P. 71.] Monday X^br 12th. The House met & adj^d to Tuesday, 13th. Mr. Parker was heard on Epsom Petition. Mr. Sec^y came with a Mess^a viz:

A vote of Council on the Table of Fees & ——

Mrs. Mackresses' Petition, and also y^t his Excellency could not pass a repealing act without a Restraining clause in it.

P. M. Province of New hamp^r. In Council X^br 13, 1743.

Voted, That the Table of Fees & List of Fines and forfeitures Exhibited by the Comittee appointed for that End, Be the Established Rule for all officers to take their Respective Fees by. And also that the several Courts conform to the same in regard to the Respective Fines & forfeitures therein mentioned, with the addition of those Articles in the Fees of the Sup^r Court which were accidentally omitted in Transcribing the said Table & this to continue & be in force for one yeare from this Time & no longer.

Theod^o Atkinson, Sec^y.

The above vote was Read and concurr'd with this Amendm^t, viz. That an Act be Drawn up accordingly to continue in force five years and no longer. Sent up.

J. Jeffry, Cler. Ass^m.

Mrs. Mackresses Peti^n Read & Voted dismist.

The House adjourn'd to the 14th curr^t.

Wednesday, X^br 14th A. M. The House met. An act for Division of John Foulsam's Estate read. Mr. Sec^y came from his Excell^y with a Mess^a ab^t the vote sent yesterday, viz.

His Excelly went as far in y^t vote as possible he could, & y^t he had the advice of the Att^y Genl he could not pass an act to Repeal &c. & that if the House would draw an act with a saving clause for any time he would send it and recomend it, &c.

P. M. The House adjourn'd to the 15th curr^t.

Thursday X^br 15th A. M. The House met. A Bill for the widow Foulsam of Ex^r to Divide his Estate past.

A Bill for surveyors of Highways & past to be enacted. A vote for passing the Table of Fees past & sent up as on file.

[P. 72.] Brentwood Petition Read & voted to serve ye selectmen of Ex^r & of Brentwood, to app^r the 3^d day of the sitting of the Gen^ll Ass^m after the first day of Ap^l next (to shew cause &c.)

P. M. An act for the present Recorder to p'fect some omissions of former Recorders on Sundry Deeds lying in the office and in some of the Books, past.

In the House, &c. Voted That Ebenr Stephens & Icabod Roby, Esqs. be a Comittee of this House to waite on his Excelly and desier he would inform what ships has paid Powder money since his time of Governmt and how much rec'd & how much expended, and to make report to the House of the answer. The House adjd to the 16th currt.

Fryday, Xbr 16th The House met. Voted that there be a Messa sent to his Excelly to desier a copy of that Instruction which prohibits his Excelly from Repealing, superceding or altering any of our Publick Acts, without a saving clause, &c., the Secy having informed the House that your Excelly has such an Instruction.

Voted, That there be a Comittee appointed to draw up Instructions to be sent to the agent in Relation to any Petitions lodg'd by the agents of the Massa now lying before his Majty in Relation to the line of Townships that lye within this Province by the late settlement of ye Boundary Lines of the Provinces, or any other Petitions Lodgd by the Massa abt ye Lands, and that the said comittee lay the same before his Excelly & desier him to forw'd it to the agent & Recomend it to be speedily ended, and that Mr. Speaker & Thoe Packer Esqs. be a Comittee of this House to joyn such as the Honble the Council shall appt to draw up said Instruction and lay the same before the House for approbation as soon as possible.

Mr. Secy & Wibird bro't a Messa that Coll. Henry Sherburn & Ellis Husk were added to ye Comittee of Audit, & Bro't the Highway act for amendmt Brentwood Petition with a new vote of the Council & some other papers on file, & ye act abt Recorder for amendmt.

[P. 73.] Brentwood Petition voted on againe to appeare the week after next, if sitting, otherwise the 3d day of next sitting. A vote past abt the Table of Fees.

Mr. Blunt made a motion abt his act & had it for amendmt. The House adjourn'd to the 17th currt.

Saturday Xbr the 17th A. M. The House met. The vote about Fees sent up.

Mr. Secy & Solly came with a Messa from the Council with the vote of this House abt Fees, that it was past wth amendmt and bro't the vote from his Excelly abt adjournmt of the Assm that he could not well do it not having no answer to wt he recomendd.

The Council vote on the Fees concurr'd & sent up wth the Table of fees.

Mr. Secy came & by his Excelly order adjourn'd the Genll Assm to Monday 10 o' the clock, A. M.

Monday X^br 19th A. M. Mr. Sec^y came and said his Excell^y had directed him to adjourn the Gen^ll Ass^m to the 20th curr^t o'clock, A. M.

Tuesday X^br the 20th A. M. The House met.

P. M. The act in ad^n to the acts ab^t Intestate Estates &c. read.

Coll. Peter Gillman, Stephens & Walton, a Comittee to sum up &c. the affairs now lying before the House. The House adjourn'd to the 21st curr^t.

Wednesday, met according to adj^t. John Hall's Bill ab^t a mortgage past to be Enacted. The House adjourned to the 22^d curr^t.

Thursday X^br the 22^d A. M. The House met.

Mr. Sec^y came with a Mess^a, viz. That our vote for the *passing* the Tables of Fees with a Saving clause &c. was past without adding any other p'sons to the Comittee of the House for Drawing the act, and also made a motion ab^t his feese.

Vote of the 21st curr^t for his Excell^y to draw £200 out of Conting^t money now put in to [be] Rep^d out of the Loan Interests to be Borrowed, and for putting £786: 13: 4, into the Treasury to be bro't in In 1750, past to be Enacted.

John Hall's Bill ab^t Rindg's Mort. past, & Alex McGregorys Bill for reveiwing a case past & sent up.

P. M. The Probate add^n act past, a vote for a Treasu^r to take so much Money out of the conting^t money as will by 8 bbl Powder, &c. past.

[P. 74.] A vote ab^t £30 for the Truck house & past.

A vote for payment of the Council & Assembly out of the money put in for contingencies &c. on file. The House adjourn'd to the 23^d curr^t.

Fryday X^br the 23^d, The House met. A vote for paying Mr. Atkinson the sum of £18: 15s? for extra services on file. Mr. Blunts act past & sent wth Mr. Atkinson's. MacCressess' Petition sent up. The House adjourn'd to the 24th curr^t.

Saturday X^br 24th. The House met. A Mess^a to his Excell^y relateing to the Truck Mr.—sent up. Mr. Sec^y bro't Mr. Blunt's act Back & said a vote would do as well.

Mr. Sec^{y} by his Excell^{ys} order adjourned the Ass^{m} to Tuesday the 27th curr^{t} 10 o'clock, A. M.

Tuesday met [and adjourned to]

Wednesday, X^{br} 28th A. M. In the House, In case his Excell^{y} shall take a journey to view the Frontiers, Voted that there be paid his Excell^{y} by the Treasurer, the sum of twenty five pounds out of the money ordered in to the Treasury this Sessions for contingencies or support of the Governm^{t} for defraying his Excelly^{s} expenses in said Journey.

J. Jeffry, C. Ass^{m}.

The ans^{r} to the Speech read, accepted & sent up(1), & the vote for £25 to his Excelly.

The Speaker being absent on Extr^{a} business, Ebenezer Stephens, Esq. was chosen Speaker pro tempore.

Brentwood Petitioners bro't their Return, but no House to hear y^{m}. The House adjourn'd to the 29th curr^{t}.

Thursday X^{br} 29th A. M. The House met. A vote for paym^{t} of Messrs Shurtliff & Blunt on file, together. The Bill for the Recorder past & sent up.

P. M. In the House of Represent^{s}—In ans^{r} to the verbal message by Mr. Sec^{y} from his Excell^{y} relateing to making an add^{n} of souldiers to Fort Wm & Mary, are humbly of opinion,

[p. 75.] That whereas the Inhabitants of New Castle are made an Independent company on account of their doing duty at the said Fort on any emergency, They are excused from all duty which the souldiers (or men) are obliged to do in the several Regiments in the Province and therefore are of opinion that the affaire may be suspended to the next sessions.

In the House, &c. In answer to the written Mess^{a} bro't this day pr Mr. Sec^{y} from his Excell^{y} ab^{t} appointing a Truck Master to trade wth ye Indians, The House unanimously came into this Resolution, That if they can have no voice in appointing a Truck master they will not make any supply for that trade. Sent up. His Excelly's Mess^{a} on file.

The House adjourn'd to the 30th curr^{t}.

(1) See the answer to the Governor's speech in "Journal of the General Assembly," which see.—Ed.

Message of his Excellency.

[Copied from MS. "Governor's Messages," p. 271.]

Gentlemen of the Assembly —

By your Message of this day by Coll. Samuel Gillman & George Walton, Esq. you seem absolutely determined either to force me to give up the prerogative of the Crown, or to prevent the supply I promised the Indians this winter at Canterbury.

The Royal prerogative, I now assure you I dare not presume to give up, and if you prevent my engagements with the Indians you must consider that your House only will be answerable for the ill consequences that may insue; therefore when you fully weigh these things, I am persuaded, in favour to your country, you will reconsider your vote of 22d Decemr that it may come to me free of any clogg whatsoever, thereby my good purposes to the Province will not be frustrated.

B. Wentworth.

Council Chamber, 29th
Decr 1743.

Fryday Xbr the 30th A. M. The House met.

Voted, That Messrs . . . . . be a Comittee of this House to joyne such as the Honble the Council shall appt to agree with some person or p'sons, for the Hiering of a suitable House for his Excelly Gov. Wentworth to live in, at as reasonable Rate as they can and to hire it for five or seven years and to make their Return this afternoone if possible. Sent up. Mr. Secy & Wibird Comittee abt ye Govrs House.

Allowed Jos Moulton for a journey carrying ye Treasurer's Warrt,	£11: 5: 6	old Tenr
or the ballance of his acct. being £7: 17: 6		
Mary Seward Entergs Indians	£3: 1: 9	Do.
Richd Wibird & Compa Blankets, &c.	£5: 16: 7	

Brentwood Petition heard. The House having considered thereon, Voted, That the said Petition be dismist. Sent up.

The House adjourn'd to the 31st currt.

Mr. Treasurer Jaffreys acct audited, the audit Read & Accepted, & Due to ye Province £13: 5: 6 1-4 Entered on ye acct.

An Act for the case of appellt not to file Reasons of appeale past. Sent up.

Soldiers of Fort Wm. & Mary Petition Read, & allowd Jos. Langmaid £4: 10: 6 for and to Richd Perry 17*s* 3*d* & to Jos. Langmaid 17*s* 6 for wood to 14 March 1743. Adjd to ye 3d Jany 1743–4.

[p. 76.] Jany 3d 1743–4, The House met. His Excelly sent the Secy to adjourn the Genll Assm to the 4th currt & accordingly the Secy adjourn'd them to the 4th currt.

[Met according to adjournm^{t}.]

The Act for & ab^{t} appeals bro't in & read. The House adj^{d} to the 5th curr^{t}.

Thursday, Jany 5th A. M. The House met. A vote for ye Comittee that goes to view Dover ab^{t} the West End thereof, do view ab^{t} Summersworth & represent it in the same return. Sent up. The High way act sent up past. Adj^{d} to the 6th curr^{t}.

Fryday, Jany 6th A. M. The House met.

Voted, That the Treas^{r} pay unto the Comittee that is appointed to write our Agent John Thomlinson, Esq. this Sessions, so much money as will purchase a bill of Exchange of the value of fifty pounds sterling, which they shall send to John Thomlinson, Esq. with the advice & desier now to be sent him from the Gen^{ll} Ass^{m} to prosecute the affaire relating to the Petitions of the Inhabitants of the Mass^{n} now lying before the Honble the Lords Comittee for Trade, or elsewhere; and that this fifty pounds Ster. money to be to s^{d} agent Thomlinson towards the services he does for this Province, and further that the said agent be desier'd to send an accompt of w^{t} charge he is at & has been at on our affaires since his last accompt, the above sum to [be] paid out of the money put into the Treasury this sessions for the defence and support of the Government. Sent up.

In the House of Represen^{ts}, Voted That the souldiers of Fort Wm. & Mary be paid one halfe years sallary from March last past out of the money ordered into the Treasury this sessions for defence and support of the Governm^{t}. Sent up.

The act for appeals past & sent up (1).

[p. 77.] Tuesday, February 21, 1743-4. The House met according to adjournment. A Mess^{n} sent to acquaint his Excell^{y} there was a quorum of the House met.

Mr. Sec^{y} came and bro't a Letter from Mr. Bastide the Ingineere. A Letter from Mr. James Scales (2) ab^{t} the Indians &

(1) Several lines of the "Journal of the House" are here torn, defaced and illegible.—Ed.

(2) James Scales was a graduate of Harvard College in 1733. He came from Boxford, Mass., with a recommendation from the church in that place, dated July 3, 1737, and was received into the church in Rumford, July 17, 1737. He became a resident in Canterbury, was town clerk, and in the records is called Esquire. He is also spoken of as a physician. He was licensed to preach, and in 1743 received £20 for preaching to the people in Canterbury. He was ordained the first minister in Hopkinton, N. H., November 23, 1757, was dismissed July 4, 1770, and died July 26, 1776.—Ed.

Truck house & a Petition from nine Indians, for the House to consider of. Left them and withdrew. The House adjourned to the 22d curr.

Letter from Mr. Bastide.

[Copied from MS. Corr. in Secretary's office, p. 179,]

Portsmo Xbr 19th 1743.

Sr. P'suant to an order in Council transmitted to me by his Grace the Master Generall & the Right Honble the Principle officers of his Majties Board of Ordinance, directing me "to come to this Province to search and take the "dimentions of the Guns wch are in it, to assist the Inhabitants in Rebuilding "Fort Wm. & Mary & to transmit a Plan thereof to the Board of ordnance "with my Report concerning the same, That they may be Enabled to Repre-"sent to his Majtie in Council what nature and number of Guns it may be "proper to supply this Province with," I left Boston the 5th Inst. & arrived here the 7th & in obedience to the above orders, I have taken a plan of the Fort as it now Remains with the ground abt it & taken such notes as are wanted to project one wch may not only defend the entrance of the River and Harbour, but also have a good cover on the land side, in case of an attack that way.

I have likewise serched and surveyed the Guns wthin & wthout ye Fort and they are generally unserviceable or defective, as their number far exceeds wt is necessary for the Fort, the overplus of Twenty six Guns, wch are fully sufficient for the Fort, may be propriated to out Batterys & Block Houses Little Harbour without, and Clark's Point within the Fort, seem places which to have Battery's errected upon, and as this Province is soon to Build Block Houses on the Frontiers, I must desier your Excelly will be pleased to let me know wt number you Require for the Block Houses & what natures.

I shall also be glad to know, sir, wt Fund you have towards erecting this Fort, wt part you can assign annually to the p'formance of it, & how soon you may be ready to make a beginning, that I may if possible attend to see the new Fort sett off & the Foundations layd.

As soon as I can prepare a Plan & estimate of the Fort I shall send it to your Excelly that you may be apprized of ye whole expense.

I am wth due respect,
yor Excellys most humble &
obed't servt J. H. Bastide.

To his Excelly Governor Wentworth, &c. &c.

Order from Gov. William Shirley of Massachusetts.

[Copied from MS. Corr. in Secretary's office, p. 183.]

By his Excellency William Shirley, Esq. Captain General & Governour-in-Chief in & over his Majesty's Province of Massachusetts Bay in New England.

Whereas it appears to me that his Majesty has been pleased by his Royal Warrant bearing date the twelfth day of December 1743, in the seventeenth year of his Reign, to constitute and appoint his Excellency Benning Wentworth Esq. his Majesty's Governor of New Hampshire to be surveyor general of all his Woods within the Colonies & Plantations in America, and whereas the said Benning Wentworth Esq. has signified his desire that I would issue my Warrant to the proper officers within this Province (and more especially within the county of York) to do what may be necessary on their Part for the assistance of himself & his Deputy Surveyors in the Execution of their office: I do therefore hereby require all his Majesty's Justices of the Peace, Sher-

iffs & other his Majesty's officers within this Province (& more especially in the county of York) whom it may concern, to give all necessary assistance to the said Benning Wentworth & his Deputy or Deputies in the due Execution of their office agreeable to the several acts of Parliament and the Laws of this Province relating to the same, That so his Majesty's Royal Pleasure & Intention therein for the Preservation of his Woods within this Province & the Prevention of all Wast & spoil thereof may be rendered effectual: for wch this shall be a sufficient Warrant (1).

Given under my Hand & Seal at Boston the fourteenth day of January 1744, in the eighteenth year of His Majesty's Reign.

W. SHIRLEY.

Wednesday Jany 22d, 1743-4, A. M. the House met.

To his Excelly Benning Wentworth, Esq. Capt. Generall & Govr in chief in and over his Majties Province of N. Hampr in New England. The desier of sundry of the Indians respecting a Truck House is hereby signified:

May it please your Excelly.

We have heard that your Excelly & the Genl Court of this Province have projected to build a Truck house in order to supply us with such things as we want from the English & it is very pleasing to us that your Excelly and the Prov. have shown so much Respect & good will towards us. But we have heard also, That it has been proposed to set said Truck House somewhere at or near Winnipissioke Pond. And we humbly think that if it be set there it will be more Damage than benefitt to us. And we humbly desier that if a Truck House be built it may be set at a place which we call the carrying place, which is on the Easte side of the River which runs out of Winnipissioke Pond agst the mouth of Pemichewassue River (2). And this is the [desire] of all the Indians, so farr as we had op'tunity to . . . . . & that for these Reasons. First.

[NOTE. Here there is a blank in the "Journal of the House."—ED.]

[P. 79.] Feby 22d, 1743-4.

A vote past for paying the signers of the £980 Pounds, £25 : 10 as on file.

A Messa to the Council on file.

In the House, &c. Voted, That Mr. Hunking Wentworth be of

(1) Upon the back of the foregoing warrant is written, in the hand of Gov. Wentworth, the following:

"Province of New Hampshire.

To all whom it may concern:

This is to Certify that Mr. Christr. Bradbury is employed by me as one of my Deputys to take care of the King's Woods in the Province of Maine.

Given at Portsmo. July 26th, 1749.

B. WENTWORTH, Sur'r Genl.
of his Majesty's Woods."

(2) This would be at or near the junction of the Winnipesauke and Pemigewasset rivers in Franklin.—ED.

this House to joyn such as the Honble the Council shall appoint to view his Maj^{ties} Goal at Portsmouth, and see w^{t} is necessary to be done for the securing the Prisoners in s^{d} Goale, there being p'sons in there for cap^{ll} offences, & Mr. Sherrif & the King's Attorney have represented something o'g^{t} to be done for securing the same, & make their Return as soon as possible.

Mr. Sec^{y} came with a Mess^{a} from his Excell^{y}.

[Copy of the verbal Message.]

Mr. Bastide is fully appraised of the provision made in the Loan Bill for the service of Fort Wm & Mary & in w^{t} manner it is to be paid & the certaine periods.

Upon that Gen^{ll} letter of the 19th X^{br} to his Excell^{y} wch has been laid before the Honble House, his Excell^{y} writes y^{t} he shall urge on the Ass^{m} an imediate provision for the Fort by Labour, or in some other way that may be tho't more usefull, in which he hopes to succeed. More especially since he had communicated their Excelly^{s} the Lords Justices letter to them showing the absolute necessity therefor.

After the adjournm^{t} the Govr in another Letter says, That he is sorry to tell him that he did not succeed with the Ass^{m} as he hoped for, but that he dos not dispaire of getting something done upon the adjournm^{t}, which Mr. Bastide writes the letter now to be communicated to you, in answ^{r} to.

[P. 80.] In the House of Represent^{s} Feb. 22^{d} 1743–4.

Upon reading Mr. James Scales Letter & the Indians Petition Relating to a Truck & Trade with them, communicated to the House yesterday by his Excell^{y},

Voted, That this Mess^{a} be sent to his Excell^{y} in answer to that affaire, viz.

That the Building said Truck House is an affair of great consequence, as well as the matter of Trade, at this critical time, therefore the House have unanimously Voted it ly under consideration. Sent up the above.

P. M. M. Livermore, Esq^{s} Mem^{o} Read. Messrs. Wibird & Solly came with a Mess^{a} to know how the Interest to be allowed those Gen^{t} that offer the money for Repaire of the Fort &c. shall be made good to the Fund.

The House adjourn'd to the 23^{d} curr^{t}.

Thursday Feb. 23^{d} the House met. The Petition of Samuel Adams & Jos. Drew Read. Do. of Daniell Meaders in behalfe of himself & Quakers in Durham. Meaders Petition voted on to serve the Selectmen & stay gathering any more from the Quakers in the mean time.

P. M. A vote ab't the money Sent for & towards Fort Wm & Mary, past as on File.

Canterbury Petition. The within Petition read & voted: Provided, The Proprietors of the Town of Canterbury Build a Bridge

this year sufficient for carts & carriages to pass & repass on over *Suncook* River where the way is now cut, to travel from Durham to Canterbury, & will warrant to maintaine the same Bridge for ten years, that then there be paid the said Proprietors the sum of fifty pounds Bills of credit out of the Interest money arising on the 25,000£ Loan, out of that part of the Interest appropriated for Highways & Discovery of the Country, when so much shall be in the Treasury. The House adjourned to the 24th curr^t.

[P. 81.] Thursday (1) Feby 24th A. M. the House met. Mr. Livermore Mem^o read againe & voted unanimously, That in answer thereto, That there be paid out of the Treasury, to the said Matthew Livermore, Esq. (out of the money Laid in for support of Government & contingencies) the sum of ten pounds Proclamation money.

Canterbury Petition & Mr. Livermore grant sent up. Mr. Packer as agent, or in behalfe of the Trustees, for that they had lost the Printed forms of the Mortgage (being cast away) to the value of neare twelve pounds, & pray'd allowance.

The Question was put whether the House would allow it or not. It past in the negative.

Another motion was made for allowance of a Book for keeping the accompt what and who mortgaged, when pd., &c. which was put to vote. It past in the affirmative.

The Honble Judge of Probate made a motion for allowance for Books for the Register of Wills, &c. The Question put. It past in the affirmative.

The Sec^y came & by his Excelly^s order adjourned the Gen^ll Ass^m to the 28th March next & Declared the Gen^ll Ass^m adjourned accordingly.

[P. 82.] Wednesday, Mar. 28th 1744. The House met according to adjournm^t. Adj^d to the 29th curr^t.

Thursday Mar. 29, A. M. The House met.

His Excell^y sent a Letter from Govr Sherly Relating to Fort Dumer, which was read, a copy whereof follows:

SR—I find that Fort Dummer, which falls within the Boundary line lately settled by his Maj^tle in Council between this Governm^t and yours, on the New Hampshire side, has, notwithstanding persons have been Employed on the Part of your Governm^t to run the Line, remain'd in the Possession of this Governm^t so far as that the officers & soldiers which Garrison it have con-

(1) Friday?—ED.

tinued in the Comiss^{n} & pay of the Mass^{a} Governm^{t} & that the Fort has been in all respects maintained by this Province, your Governm^{t} having made no Demand or Request to have it Evacuated & y^{t} Put into your Possession, Tho' I understand that you have appointed civil officers within the District of it.

As that Fort is of great importance for the protection of his Maj^{ties} subjects within both Governm^{ts} I should be loth to Evacuate it at so critical a time as the present, till I know, S^{r}, that you are ready to take Possession of it, But am ready to give the necessary orders for delivering up, whenever you shall signifie to me your Desire to put yor own officers and soldiers into it, that it may not be abandoned betwixt the two Governm^{ts} to the Possession of the Indians. If you are not yet determined to maintaine any Fort there, I should be glad to know it, and that you will favor me with an answer, which will oblige, S^{r},

Your most Humble & most ob'd^{t} Servt

Boston, Mar. 27, 1744, W. SHIRLEY.

His Excel^{y} Ben. Wen^{t}.

[P. 83.] A Mess^{a} was sent pr Mr. Roby & Stephens, viz. That the House Desiers time to consider ab'^{t} taking the Fort into our Poss^{n}.

Mr. Sec^{y} & Wibird, Esq. came with a Mess^{a} from his Excell^{y}, viz. with a Letter from White Hall for putting the Province into a posture of Defence,(1) & not only so but to be ready to attack, & Gov. Shirlys Letter both read, And that his Excell^{y} desiers a further answer.

Voted, That Ebenezer Stephens Esq. be a Comittee of this House to joyn such as the Honble the Council shall appoint to goe and view the situation of Fort Dumer and what Inhabitants are neare it and also to go up Connecticut River, as *High?*—as the settlement at a place known by the name of No. 4,(2) & view that place & see if that be not a better situation than Fort Dumer for security of his Maj^{ties} subjects of this Province, and to se what Inhabitants are about that place called No. 4, and make their Report as soon as Possible.

The above vote Return'd and another made & sent up as on file.

Mr. Sec^{y} came & by his Excell^{ys} order adjourn'd the Gen^{ll} Ass^{m} to the 17th day of April next, 10 o' the clock A. M.

[P. 84.] Tuesday, April 17th 1744. The House met according to adjournm^{t}. Adj^{d} for two Hours.

P. M. Epsom Bill read the first time.

Mr. Sec^{y} Bro't an act of the Mass^{a} relating to Road Island & said his Excell^{y} tho't it worthy the House's consideration &c.

Whereas Wm. Cannada now lying in his Maj^{ties} Goal by Judgm^{t} of his Maj^{ties} Sup^{r} Court of Judicature & Court of Gen^{ll} Goal Delivery, and it being represented to the House that the

(1) The letter from White Hall can not now be found.—ED.

(2) Now Charlestown, N. H.—ED.

said Cannada lies in verry ill circumstances in his body so that if he is kept in close confinem^{t} his life is in great danger, and that he may not Perrish for want of assistance, Voted that Mr. Sherrif Packer may at present direct the under keeper of the Goale to take care for the help and relief of the said Cannada till the time limitted by the s^{d} Court for to lye in Goal unless Execution be taken out relating to ye 3 fold damages and in the mean time if the said Cannada do not amend that some convenient place be provided for him where he may be nurst and tended, and that the charge be paid by the Goverment for the Reasonable charge of such nursing & lodging, &c. Sent up.

P. M. To Theo. Atkinson,—Dr.

To printing ye Act ab^{t} counterfeiting Bills of Credit, of this Prov. in the newspapers, each paper 30s	£3:
To ream Paper £7, one Do. £3	£10:
To coppying the act twice	£1: 1
To Ink Powder & wafers	£1: 10
Voted that it be allowed	£15: 10

The House adjourn'd to the 18th curr^{t}.

Wednesday Apr. 18th 1744, A. M. The House met.

The Question was put whether we should Build a Block House at Winnipishiokee Pond. It past in the affirm^{a}.

[p. 85.] Drews Petition Read & voted to serve Elijah Drew & to app^{r} 3^{d} sitting after the 1st of May.

Amesbury Petition Read: notify the Selectmen of Southhampton to appeare ye 3^{d} day of next sitting of the Gen^{ll} Ass^{m} after the first day of May.

Tiberlane Petition read & voted to serve select men of Kingston to ap^{r} the 3^{d} day of sitting after ye 1st of May next.

P. M. Epsom Bill read three times and past to be Enacted.

Nottingham Bill read three times and past to be enacted. Cannadas Vote reconsidered, and Voted, That the said Cannada be immediately removed to some convenient Lodging and that no advantage shall be taken against the Goale keeper for so removing him, and that if he recover that then he be remanded to the Prison till the aforesaid Judgm^{t} be comply'd with. Sent up.

The House adjourn'd to the 19th Current.

Thursday the 19th Apr. The House met. Langdon, Leare and Wadleigh Petition read, & Voted the pray^{r} thereof granted & leave to bring in a Bill.

Mr. Sec^{y} Bro't a written Mess^{a} from his Excell^{y} as on file. [This Message not found.]

In the House of Represent^{s} Apr. 19th 1744.

In answer to his Excell^{ys} Mess^{a} to this House of this day relating to the former Provision made for his accommodation of House, Garden, Barn, &c. Voted, That there be a Comittee of this House to go & see where and for how much they can get a House and such conveniency for accommodating his Excell^{y} according to his Request in his said Message, and make their Report at the next sitting of the General Assembly, and that Mess^{s} James Clarkson & Richd Jenness be a Comittee for the aforesaid service.

In the House of Represent^{s}.

Voted, That there be paid out of the publick Treasury to his Excell^{y} the sum of twelve pounds ten shillings in add^{n} to what was ordered last sessions for his Excell^{ys} visiting the Frontiers of this Province, if occasion requires it.

Ordered that all p'sons that were to be heard this day attend ye 3^{d} day of the next sitting of the Gen^{ll} Ass^{m}. His Excell^{y} adj. to ye 9th May next.

[P. 86.] May the 9th 1744.

The House met according to adjournment.

P. M. Hensdal & others Petition read (not paid) Praying men and money to protect them in case of a Warr. The House adjourn'd to the 10th curr^{t} A. M.

Thursday May the 10th A. M. The House met.

Mr. Speaker made a motion that his Excell^{y} desiered him that two of the members might be sent down with him and his Majesties Inginere to the Fort & see where Batteries may be erected — Voted that Maj^{r} Peter Gilman and Ebenezer Stephens Esq. be the Comittee for that end.

Voted That there be a minuit taken of all the Laws enacted since our printed Laws with ye date of their being enacted and time of Expiration, and y^{t} ye Secretary be desiered to make out such minuit and lay before ye Court in order to have all such printed as shall be thought proper. On file — Sent up.

P. M. Voted That Mr. Speaker, John Gage & Saml Gillman, Esqs. be a Comittee to waite on his Excell^{y} in order to address his Maj^{tie} ab^{t} the circumstance of our Frontiers against the French & Indians, &c. The House adjourn'd to the 11th curr^{t}.

Fryday, May 11th A. M. The House met. Voted That there be paid out of the Publick Treasury to Richard Hall the sum of

seven pounds (Old Tenor) in full for Lodging & nursing Wm. Cannada four Weeks from the 11th of April last past.

[P. 87.] Allowed Francis Tucker for Wm Kennada, 5 days nursing 30*s*, thread 1*s*, getting a lodging 10*s* & shirt and making 40*s* £4: 1.

In the House, &c. The above Petition read (1) and the parties signing the same heard in the House, and upon consideration of the affaire Resolved, That whereas at the session in March last there was a vote of this House for a Comittee to go and view the settlemts on Connecticut River from the Line as far northward as ther's any settlemt and to make their Return some time in June, Wherefore Voted, that this Petition ly for consideration until the Return of the said comittee.

Whereas Peter Gillman & William Packer, Esqs. was formerly appointed to over-hall the Papers and files lying in the Recorder's office, and the Death of the late Recorder, Joshua Peirce, Esq. prevented them for doing the same within the time they were to make their Return, so that they think their authority expired, Wherefore Voted, That the said Comittee proceed to effect the said service and make theire Return to the General Assembly as soon as may be.

P. M. Thomas Drews Petition read and the Petitioner Heard.

In the House of Represents May 11th 1744, Thomas Drew was heard on his Petition, and the adverse Partie being notified and absconding, the House ordered the Recorder to bring in the Deed, upon viewing which the House are well assured that it is fraudulent and, Voted, That the said Deed be delivered up to the Petitioner Thomas Drew. Sent up.

Mr. Secy came down And said he was directed by his Excelly order that ye General Assembly should be adjourn'd to the 19 of June next, And then Declared the Assembly adjourn'd accordingly.

[P. 88.] May 23d, 1744.

The House met By order of his Excelly. Mr. Secy came with a Messa from his Excelly to know if the members were most come, & returned.

Then he came againe with a Messa that his Excelly required the attenda of the House in the Council Chamber.

Mr. Speaker and the House went up. His Excelly made a Speech (2). Mr. Speaker pray'd a coppy & return'd. Mr. Secy Bro't the speech & gave it the Speaker.

Voted James Clarkson Esq. and Coll. Peter Gillman be a Com-

(1) Hinsdale and others, of the 10th current.—Ed.

(2) The Governor's speech and answer thereto are recorded in the "Journal of the General Assembly," which see.—Ed.

ittee to answer the Gov^{rs} Speech. The answer Bro't in, Read, accepted & coppyed & sent up. The House adjourn'd to the 24th curr^{t}.

Thursday, May 24th. The House met.

In the House &c.

Resolved, That in case the Indians make any Rupture on the English settlem^{ts} between this and the 19th of June next (and his Excell^{y} shall declare Warr agst them) That the House desiers his Excell^{y} to Comiss^{n} Voluntiers to hunt & seek the Indians where they can find them, and take or destroy them, and that for every scalp or Indian such voluntiers shall bring in, his Excell^{y} may engage the payment of fifty pounds for every such scalp or Indian that shall be bro't in by those acting under his Excellen^{ys} Comiss^{n} and that this House at their Session in June will take care to make an act for the paym^{t} of such scalp money.

As also for ye two hundred men that are to guard ye Frontiers, if they shall bring in any scalps or Indians, to be paid five pounds for every scalp or Indian. Sent up.

A written Mess^{a} from his Excell^{y} on file (1).

Mr. Sec^{y} came & declared this Convention of the members dismiss'd to ye 19th June next.

[NOTE. The following Message, which is without date, was probably written about this time.—ED.]

[Copied from MS. "Governor's Messages," in Secretary's office, p. 273.]

Gentlemen of the Assembly,

I thank you for the assistance you have so cheerfully given me for the defence of his Majesty's subjects, which shall be Imployed in the most useful manner for the defence & Protection of the Frontiers.

Before I dismiss this Convention of the members of the General Assembly, It will be very agreeable to me to know the Sentiments of the Assembly what Premium I may promise for scalp money, if the Indians should give occasion to Imploy men in that service, before I meet you in General Assembly.

I think it also necessary to be provided with a number of whale boats for the use of Merrimack River & the Great Pond, which I conceive would strike greater terror in the Enemy, than any other expedient, I can at present think of. Winnipissioka pond has been the Asylum & safe retreat of the Indians in former wars, after they had committed hostilities on our frontiers, and if they are driven from that quarter, by a number of whale Boats, I am persuaded our frontiers will be more secure than in past Wars.

B. WENTWORTH.

(1) See "Journal of General Assembly."—ED.

A List of the Commission officers in the sixth Regiment of Militia in the Province of New Hampshire.

[Copied from MS. Corr. in Secretary's office, p. 205.]

First Company Dunstable	Joseph French, Capt. Jonathan Lovell, Lieut. Henry Adams, Ensign.
2d Company Rumford	John Chandler, Capt. Jeremiah Stickney, Lieut. Nathl Abbott, Ensign.
3d Company Nottingham	Thomas Colburn, Capt. Joseph Winn, Lieut. William Cummins, Ensign.
4th Company Litchfield	Jonathan Cumming, Capt. Saml Moor, Lieut. John Usher, Ensign.
5th Company Methuen & Dracut	Richard Kelley, Capt. Isaac Clough, Lieut. John Ober, Ensign
6th Company Suncook	Moses Foster, Capt Benjn Holt, Lieut Stephen Holt, Ensign
7th Company Souhegan West	John Shephard, Capt. Joseph Prime, Lieut. Samuel Walton, Ensign.
8th Company Souhegan East	John Goffe, Capt. John Chamberlain, Lieut. Moses Barrow, Ensign
9th Company Second Parish in Dunstable	Peter Powers, Capt . . . . . Lieut } Not yet appointed . . . . . Ensign } to be next Tuesday
10th Company New Hopkinton	Isaac Chandler, Lieut Joseph Eastman, Ensign

Pr. Col. Rolfe.

Province of New Hampr May ye 22d 1744.

The within is a List of the Commission officers in the sixth Regiment of Militia in sd Province, and the Dignity of the Company settled according to his Excellencys orders to us the subscribers,

Joseph Blanchard
Benjamin Rolfe.

Indorsed "Company officers in Col. Jos. Blanchards, Regt 1744."

[P. 89.] Tuesday, June the 19th A. D. 1744. The House met according to adjournmt.

P. M. Mr. Secy came and said that his Excelly required the attenda of the Honl ye Speaker & the House at the Council Board.

Mr. Speaker and the House went up accordingly. His Excelly made a Speech (1). Mr. Speaker prayed a coppy & returned.

(1) This Speech is in "Journal of General Assembly."—Ed.

Mr. Sec^{y} Bro't a copy of his Excell^{ys} Speech and left it for the Clerk to coppy & return. The Speech Read.

Voted, That Mr. Speaker Wiggin, Coll. P. Gillman, Coll. Roby, Maj^{r} Stephens, Coll. Sam. Gillman be a Comittee of this House to waite on his Excell^{y} this Evening to know if he has power to make money for carrying on the warr.

The House adjourned to ye 20th curr^{t}.

Wednesday June the 20th. The House met.

Whereas upon viewing the Millitary Laws of this Province there seems to be some contradictions in Recovering the Fines of Delinquent and several other Defects, which in the time of warr o'gt to have a more speedy way for the recovery of the Fines, &c. and for the making an additional act for remedy of such Defects, as upon due examination may be found, Voted, That Coll. Peter Gillman & Coll. Roby be a Comittee of this House to joyne such as the Honble the Council shall appoint to consider of the Millitia Act, and draw up what additions they shall think necessary to be Enacted and make their Report to the Gen^{ll} Assembly as soon as Possible, in order to be drawn into an act. Sent up.

Voted, That Coll. Peter Gillman, Coll Roby & James Clarkson be a Comittee of this House to joyne such as the Honble the Council shall app^{t} to Draw up a Plan of what is most necessary to be done for carrying on the Present warr, and make an estimate of the Charge, & how to Raise money for defraying the same and make return. &c. Sent up.

P. M.

[p. 90.] Jaffrey, Wibird & Atkinson Warr Com^{tt}. Downing & . . . . . ab^{t} the Prohibiting act.

Voted, That Thomas Packer & Richard Jennes Esqs. be a Comittee of this House to joyn such as the Honble the Council shall appoint to Draw up an act to prevent the supplying any of the subjects of the French King, King of Spain or theire allies during ye Warr, with arms, ammunition, warlike stores or Provisions of any kind whatsoever under the Penalty of the forfeiture of the same and paying the sum of one hundred pounds and six months Imprisonm^{t} without Bayle or mainprise.

The House adjourned to the 21st curr^{t}.

Thursday, June the 21. The House met. The above vote sent up. Mr. Sec^{y} bro't the Papers relating to Annapolis, &c. referred to in his Excell^{ys} Speech. Read in the House. The above return'd & another sent up on file.

The House adjourn'd to the 22^{d} curr^{t}.

Fryday, June 22d. The House met. The Papers the Secy bro't yesterday, returned.

A Messn pr Mr. Secy from his Excelly for the war committee to consider Govr Sherleys abt Fort Dumer & Annapolis, &c.

Resolve of General Court of Massachusetts, June 12, 1744.

[Copied from MS. Corr. in Secretary's office, p. 509.]

Province of the Massachusetts Bay } In the House of Repts June 12th, 1744.

Whereas the Preservation of her Majesties Fortress at Annapolis Royall is an affair of Great Importance to the Crown as well as to the respective Governments in New England and that until the arrival of some forces there from Great Britain it may be for his Majesty's service to afford some immediate Relief,

Therefore Voted, That his Excellency the Captain General be desired to give orders for raising two Independent Companys of Voluntiers consisting of sixty men each, exclusive of officers, to be sent to that Fortress as soon as may be at the Expense of this Province, and for Encouragement to good effective men to Enlist in this service that there be and hereby is granted to be paid out of the province Treasury to each able bodied man that shall Enlist, twenty pounds old tenor or other Bills of Credit Equivalent, and that they be freed from all ordinary Impresses in this Province three years after their Return, and that his Excellency the Governor be desired to acquaint the neighboring Governments with the State of that Fortress that they may afford a reasonable aid of men for the aforesaid purpose; and inasmuch as the said Forces are neither to be subsisted nor paid by this Province during their continuance there, that his Excellency be further desired to use his good offices with the Commanders of that Fortress, in obtaining pay and subsistance for the said Companys from the Crown until they return home.

Sent up for concurrence

F. Cushing, Spekr

In Council, June 12th 1744, Read & Concurred,

J. Willard, Secy

Consented to

W. Shirley.

Copy Examined, pr. J. Willard, sec.

Establishment of the officers Pay in Massachusetts on the Expedition against Louisbourgh, 1744.

[Copied from MS. Corr. in Secretary's office, p. 217.]

Generall pr month	£15 :
Collonell	12
Lt. Coll	10
Major	8
Adjutant	4 : 10
Capt.	4 : 10
Lieut	3
2d Lieut	2
Sergent	1 : 10
Corporal	1 : 8
Clerk	4
Surgeon Genll	5
Under Surgeon	4 : 10

Drum Major	1 : 12
Comon Drum^{r}	1
Chaplain	4 : 10
Capt of ye Artillery	9
Lieut	4 : 10
Qr. Gunner	2
2 Bombarders	4
Do Assistance	1 : 12
Armorer	1 : 12

Incouragement for the men that Inlist, viz.

To each man besides what is mentioned in the Proclamation by way of Bounty, old Tenor,	£4 :
To Billiting money from the Time of Inlisting pr. week to pay from the time of Inlisting	1 :
To each Capt. over & above his pay for his Expences in Visiting his Company, old Ten^{r}	25 :

Further to Incourage men to Inlist it is proposed that the Widows or nearest relatives of any officer or soldier that is slain or shall otherwise loose his life in the service, shall be entitled to four months pay.

And that the wives of any officer or soldier in the Expedition or any other person that appears with a power of Attorney duly authenticated, shall at the end of every month receive out of the Treasury half or all the wages of such officer or soldier as he appears for which will greatly encourage the present Expedition.

Voted, That besides those at the Fort there be for scouting & covering the Frontiers 150 men at £5 pr month and Provisions, viz. for provisions at usual allowance.

The House adjourn'd to the 23^{d} curr^{t}.

[p. 91.] Saturday June 23^{d}, the House met. Voted That the Fort at Winnepiss^{k} be 100 foot square & 14 foot square for the Flankers, the Lower part, & 17 foot the upper part jutting over.

Voted That his Excell^{y} is hereby Desiered to order one hundred and fifty men to scout, guard & cover the Frontiers of this Prov: for security of his Maj^{ties} subjects for a fortnight at five pounds pr month and provisions as usual, These to be besides those that are to be at the Fort. Sent up.

Eod^{m} Die, Voted that there be fifty men (Including fifteen as soldiers) set to work on Fort Wm. & Mary, to carry on the Repairs thereof & at the other souldiers wages & Provisions, for a fortnight besides artificers. Sent up.

The House adjourn'd to the 25th curr^{t}.

Monday June the 25th The House met. The House adjourned to the 26th curr^{t}.

Tuesday, June the 26th 1744. The House met.

A vote sent up for building a Fort at Winnipissiokee; but must be borrowed having no copy.

A vote for Emitting 2500 for Repaire of Fort Wm & Mary sent up: but must be borrowed to copy.

A vote for £5500, pounds for 200 soldiers, Powder, scalps &c. Sent up. Entred Aug. 22d.

Mr. Wibird came with a Messa from his Excelly that he desier'd the House to proceed on any other Business, and the votes sent up to day was to lye for consideration.

P. M. In the House, Voted, That Messrs Peter Gillman, Jotham Odiorn & Hunking Wentworth be a Comittee of this House to joyne such as the Honble the Council shall appoint to Examine & audit the Treasrs accompt and other accompts of the Province and to do it as soon as possible. Sent up.

Voted, That Messrs Jotham Odiorn & Hunking Wentworth be a Comittee of this House to joyne such as the Council shall appoint to tell over all money to be Burnt this Sessions. Sent up July 3d.

Mr. Husk came and said that his Excelly Directed him to adjourn the Genll Assm to Monday the 2d July next.

[p. 92.] Monday July 2d A. D. 1744. The House met.

Allowed Mr. Speaker Wiggin acct for wheels, carriages &c. for the Fort Wm & Mary, sixty two pounds four shillings, (old Tenor) out of the money for Repair of Fort Wm & Mary, £62: 4. The House adjourn'd to the 3d currt.

Tuesday July the 3d. The House met. Mr. Secy Bro't a written Messa from his Excelly & read it as on file (1) and a coppy of his Majties 19: Instruction relating to striking money.

Mr. Secy came with a Messa from his Excelly to know if the House had an answer ready or would answer his Speech (2). The answer Bro't in, Read and accepted, & ordered to be writ faire.

P. M. The answer to his Excellys Speech sent.

[Copied from MS. "Governor's Messages," in Secretary's office, p. 291.]

Province of New Hampr.

The answer of the House of Representatives to his Excellys Speech of the 19th June last.

May it please your Excellency

We have considered the several particulars in your Excellys Speech and shall endeavour to act in every one of them, as will be most consistent with our Duty to his Majtie and with the trust reposed in us by those whom we represent.

(1) This Message is not found on record.—Ed.

(2) That is the Speech of 19th of June, 1744.—Ed.

We are not insensible of what your Excell^y is pleased to observe of the misrepresentation of our Gracious Sovereign, and the unjust Reflections upon his conduct in the French Kings Declaration of War, & shall be ready upon all occasions, and as is proper for persons in our place & station.

As to what your Excell^y mentions of our Refusing to do w^t was proper in order to an Interview with the Indians, We can't possibly think ourselves any wayes to blame, as we voted a sum for that Expence, and never knew till now that your Excell^y tho't said sum to be insufficient.

With regard to the Repairs necessary to be made for his Maj^ties Fort Wm. & Mary we are now Repairing & shall be ready to do all that is in our power. As to Lodging a Fund in the Treasury for Emergencies we shall be ready to do all that is proper, if Bills of Credit can be Emitted, or any way found out for the same, and your Excell^ys Proposal with relation to a Fort at Winnipishiokee &c. we referr to our Vote sent up thereon Dated 26th June last past.

As to the Addition of men at Fort Wm. & Mary with suitable Subsistances, We say we are ready to do all that is Possible considering our present Circumstances, But should be glad to do much more, if a way can be found out for Emitting a sum of Bills of Credit or such other methods as shall be tho't practicable.

Your Excell^y is pleased in the next place to recomend to us the example of the northern Governments in fiting out a ship of War to Defend our sea Coasts, But we think this will be an Expense to heavy for us in our present circumstances.

As to what has been transmitted your Excell^y of what has passed in the Genl Court of the Mass^a of appointing Comiss^rs to meet at Albany in order to an interview with the six Nations, the House was then not in a capacity of acting being adjourned to a Longer Day, and the notice given your Excell^y so short that it was impossible to do any thing thereon.

And as to our affording any assistance for the Reinforcement of his Maj^ties Garrison at Annapolis Royal, we shall be glad upon all occasions to pay our Duty and express our gratitude to his Maj^tie, But we can't think that he will expect, or think it reasonable that we should look so far abroad, till we were better provided for our security at Home, or that we should exert ourselves for the Protection of a remoat Fort or Garrison, till our own was in a proper posture of Defence.

Upon the whole, we assure your Excell^y that we shall have the safety of our Country and the Publick good verry much at heart, & shall Endeavour (by the help of God) as far as we are concern'd, with all possible Dilligence and unanimity to pursue the measures that may be conducive to it.

And^r Wiggin, Speaker.

July 3, 1744.

Voted That James Jeffry be paid out of the Publick Treasury the sum of forty pounds sixteen shillings (old Tenor) out of the money laid in for contingencies &c. for his service as Clerk of the Ass^m from the 25th June 1743 to the 25th of June 1744, being 68 days at 12*s* pr day. Sent up.

Allowed John Robinson & Richard Cally ninety three pounds eight shillings (old Tenor) for Wheels, Carriages, axletrees &c. for Fort Wm & Mary, out of the money for Repaire of Fort Wm & Mary.

The House adjourn'd to the 4th curr^t.

Wednesday, July 4th 1744, the House met.

Prov. N. Hampr. In Council, July 4th 1744.

Resolved That Geo. Jaffry, Theo. Atkinson & Richd Wibird Esqs. be a Comittee to joyne with a Comittee to be appd by the Honble House of Represents to Remonstrate to his Excelly the necessity of a further Emission of Papr money for the actual defence of this his Majties Prov. & the Inhabitants thereof setting forth the Sum required to be Issued for six months expence.

[p. 93.] Also to Draw up a Plan how and in what manner the Money to be Issued to be Imployed for the Building & Repairing the fortificn & what else may be necessary for the safety and defence of the Province and to Report the shortest Periods for calling in the money that may be issued in order to be laid before his Excelly.

Theo. Atkinson, Secy.

Eodm. Die. In the House, &c. The above vote of Council Read and concurr'd & Resolved that Messrs Jotham Odiorn, Peter Gillman & John Gage, Esqs. be a Comittee of this House for the ends aforesaid.

Voted, That Saml Gillman & John Gage Esqs. be a Comittee to view the Secys Records & see his Entrys, and Rept what they think he ought to have for his service.

The House adjourned to the 5th currt.

Thursday, July 5th, 1744, The House met.

Comittee ordered out to tell the money and to Remonstrate to his Excelly what money may be wanted for carrying on the War and Fortifications, Powder, &c.

The Remonstrance of the Committee appointed, &c.

[Copied from MS. Correspondence in Secretary's office, p. 213.]

Forasmuch as by a Resolve of the Genll Assm of this day appointing us the subscribers a Comittee to Remonstrate to his Excelly the Govr the Necessity of an Emission of Paper Money, for the actual Defence of this his Majties Province, & the Inhabitants thereof, to make an Estimate of the sum Required to be Issued for six months, and also to Report the shortest Periods for calling in the money so Emitted:

We have taken the said Resolve, and the several things therein mentioned under consideration, And do report as follows, viz.

That in order to safeguard the River Piscataqua, the only Sea Port in the Province, from the Insults of the Enemy that may attack us by Sea, There is an Imediate & absolute necessity to have the Wales Platforms & Carryages of the guns at Fort Wm & Mary Repaired, or made new, which, with the smal Stores necessary for action will cost (for the artificers, laborers & materials to put the said Garrison in any tollerable condition for Defence) by the shortest Computation, at least one thousand five hundred pounds, £1500.

We also think it absolutely necessary to have a Fort at the Great Pond Winipissiokee which we conceive will be of Emminent service in Preventing

the Enemy from passing by water neare our Inland frontiers & to Lodge Provision & Ammunition for our soldiers and volunteers, and to have a number of Whale Boats secured there to Scout the Pond, and Rivers there adjacent. This Expence will be at least for Building Fort & Boats one thousand Pounds, £1000.

That there is the same necessity for fifteen men to be posted at Fort Wm & Mary to learn the Exercise of the Great Guns &c, which at 50*s* pr month Each will Am^o^ to for six months, £225.

The same number of men for the Fort at the Pond for six months at the same rate is £225.

That in order to the Least Defence it is necessary to have purchased for the use of the Province at least fifty bbs. of Gun Powder wch at £12 : 10*s* is £625.

That in case of an Indian War our inland Frontiers cannot be defended in any safety in the several Parts of the Province w^thout^ two hundred men being Imployed in that service & that each man for subsistance & wages cost pr month 50*s* which for six months amounts to £3000.

And inasmuch as we have always experienced in former wars with the Indians that voluntiers have struck the greatest terror and have been of the most service in annoying the Indians, we think it of the last consequence that the Treasury should be supplyed with a sum of money for a Premium for Scalps & an Incouragem^t^ to such men as shall pursue the enemy into the Wilderness, & the least we can imagine necessary for this service is £2000.

We also advise to the purchasing small arms for the Fort, &c. without which no Defence can properly be made at either Garrison, & that a sufficient number will cost £200.

And that as in the carrying on the War against her Maj^ties^ Ennemies many necessary charges may arise which will call for sudden supplys, it will be necessary to have a stock in the Treasury for such Emergencies, at least £1225.

The several sums amount to £10,000.

All which is in addition to the comon and ordinary charge of this Governm^t^, and comes suddenly upon it by reason of the war, so that there is no money in the Treasury, which renders it intirely unable to do what is absolutely necessary for its subsistance, and we can see no way to support the Hon^r^ or the very being of the Province unless his Excell^y^ can be prevailed upon to Grant an Emission of Paper money sufficient only for these necessary unforeseen Extraordinary Expences.

His Maj^ties^ Instruction that his Excell^y^ hath been pleased to lay before the Gen^ll^ Court touching the Emitting Paper Bills being, we humbly concieve calculated for the good of the Province in time of peace, when their charges that are now absolutely necessary for the support of the Province could not be tho'^t^ of by his Majesty.

That as that Instruction was intended purely for the benefit of the Province in that time, to give it no greater a Lattitude in its construction than barely the Letter, must at this time unavoidably prove its utter ruin which we are sure could never be his Maj^ties^ Intentions.

And for a Fund for drawing the said sum of Bills into the Treasury againe, we think it advisable that the same (so much of it as is not provided for by the Interest of the £25000) should be repaid by a Tax upon the Poles & Estates of the Inhabitants in four equal annexed Payments, viz. 1745, 1746, 1747, 1748.

All which is humbly submitted, by,

Geo. Jaffrey
Theo. Atkinson
R. Wibird
Peter Gilman
J. Odiorne
John Gage.

The House adjourn'd to the 6th curr^t^.

Fryday, July the 6th The House met.

In the House of Represent^s, Voted that there be paid out of the Publick Treasury to Theo. Atkinson Esq. the sum of fifty Pounds, for all his services as Sec^y and other extra services don by him for the yeare 1743 to the 25th of March, 1744, in full.

Mr. Sec^y Return'd our vote of the 23^d of Feby for Borrowing of money of Messrs Wentworth, Atkinson & Odiorn for Fort Wm. & Mary & appointing Messrs Clarkson & Odiorn a Comittee of Inspection for providing necessarys, &c.

Coll. Smith bro't a vote of Council for a Comittee ab^t Forts, &c. viz.

Province of New hampshire, In Council July 6th 1744,

Resolved, that a Comittee of Both Houses be appointed to provide such materials for repairs of his Maj^ties Fort Wm & Mary & [p. 94.] other fortifications to be erected as shall be Required by the Capt. Generall, Also, That the said Comittee shall agree with such artificers as the Capt. Generall shall think necessary to be Imployed, and Report to the Gen^ll Ass^m what may be done on all accounts, matters and things may be bro't in by Tradesmen, Labourers, or other Persons Imployed in the said service of the Governm^t, That no exaction may be made whatsoever in services done or materials purchased.

Theo. Atkinson, Secy.

Eod^m Die. In the House of Representatives the above Resolve of Council read and unanimously non-curred.

James Jeffry Cler. Ass^m.

Mr. Sec^y came & Bro't a Mess^a from his Excell^y which was read. [This Message is not found on record or on file.]

A vote ab^t Building Winnipess^e Fort, Rep^r Fort Wm. & Mary, by a Comittee, sent up.

A mess^a sent by the Clerk wth the House answer to ye Gov^rs Mess^a.

Answer of the House.

[Copied from MS. "Gov^rs Messages," in Secretary's office, p. 295.]

In the House of Representatives, July 6, 1744.

An answer to his Excellencys message of this day, Relating the Committee Remonstrance:

Whereas a Committee of both Houses have been chosen to Remonstrate to your Excellency what money will be requisite to be Immediately Emitted for the Defraying the charge of carrying on, the p'sent warr in Defence of this his Majesty's Government, And the said Remonstrance being this day Laid before the Assembly who have carefully Exam^d every particular of the same, and the House is unanimously of the opinion that the Periods for calling in the money so Emitted is very short and will be an almost insupportable burthen for his Majestys good subjects of this Province, yet Nevertheless, considering the p'sent Nessessity we are in for the Defence of His Majesty Government, we are willing to comply with it. And if your Excellency will be pleased to give your Assent for the Emitting Immediately the

Sum therein mentioned the House will be ready to Prosecute the Purposes Purposed in said Remonstrance for the Defence and safety of his Majesty good subjects of the Government.

But in case no money can be Emitted for the Purposes aforesaid, we are not able to maintain the Frontiers of this his Majesty Government, but must call in the same and put ourselves in the best posture of Defence according to our present circumstances.

July 6th, 1744. Andr Wiggin, Speaker.

The House adjourn'd to the 7th currt.

Saturday, July 7th 1744, The House met. Secy return of the Laws on file.

A Messa from his Excelly pr Mr. Secy read as on file. Messrs. Odiorn and Gillman chosen to answer it. The Answer bro't in read & accepted & sent up.

Governor's Message, July 7, 1744.

[Copied from MS. "Govrs Messages," in Secretary's office, p. 297.]

Gentlemen of the Assembly,

You have had their Excellencys the Lords Justices commands signified to me by their Secretary of State, a long time under your consideration, and the Letters now lay before you, therefore that I may Justifie my conduct therein to his Majesty I demand an immediate and Categorical answer from the House, whether you will Enable me to pay a due obedience to their Excellencys repeated commands.

And that you may have no excuse for not enabling me to execute the Royall orders, I am now ready to assent to a further Emission of paper money to answer the present Extraordinary Emmergencies of Government provided you make an actual undeniable Fund for drawing in the same, within the Limits of the Committees remonstrance and not Exceeding the sum therein mentioned.

Council Chamber, 7th July, 1744.

B. Wentworth.

The answer of the House of Representatives to the Message his Excellency sent this day.

[Copied from MS. "Govrs Messages," in Secretary's office, p. 299.]

May it please your Excelly.

The House have considered of your Excellys Message of this day, And in answer thereto beg leave to say that wee are willing and ready to do every thing in our Power for the protection & safety of his Majties subjects of this Province, and that seven thousand five hundred pounds, part of ye ten thousand pounds proposed to be Emitted, be laid on the Poles and Estates, and paid into the Treasury in four years in four equal payments, and that as there will be an annual Interest arising from the twenty five thousand pounds Loan, part of which is appropriated for the Fort Wm. & Mary, and part for Building a Fort Winnipissioke Pond, That two thousand five hundred pounds thereof shall be for a Fund for the two thousand five hundred pounds, the remaining part of the said Ten thousand pounds proposed to be Emitted, which this House is of opinion is a good and sufficient Fund, inasmuch as

provision is already made for the payment of the Interest aforesaid, and that two thousand five hundred pounds of said ten thousand pounds be imployed & improved towards the Repaire of Fort Wm & Mary, and towards Building a Fort at Winnipissiokee Pond as shall be agreed upon by a Committee or Committees to be appointed by the Gen^{ll} Ass^{m}.

July the 7, 1744. And^{r} Wiggin, Speaker.

Mr. Sec^{y} came and acquainted the House that the Gen^{ll} Ass^{m} was adjourn'd to Monday next.

Monday July 9th 1744. The House met—and adjourned to the 10th curr^{t}.

Tuesday the 10th. Mr. Sec^{y} Bro^{t} a Mess^{a} from his Excell^{y}, Read it & Left it on file.

His Excellency's Message, July 10, 1744.

[Copied from MS. "Governor's Messages," in Secretary's office, p. 305.]

Gentlemen of the Assembly,

It gives me great concern to see his Majesties Comands meet with the least difficulty in being cheerfully and readily obey'd, more Especially in a point which concerns your own safety and Protection. The early care his Majesty has taken to command his Governours in the respective Plantations, to arm for their Defence shews the great regard he has for his subjects in this remote and distant part of his Dominions, and it is with the utmost regret that I must tell you, that New Hampshire is the most backward of any of the King's Governments with respect to their defence. The crys of the Frontiers are daily arriveing to me, praying for protection, and you are sensible that my hands are tyed up from their relief.

In my Message to the Honble House of Saturday last, I demanded a positive answer to the king's Commands which are before you, and in the same Message I assured you that I had come to a resolution to assent to the Issueing a sum of money upon this Extraordinary occasion, within the limits of the Comittees remonstrance provided the periods for calling in the same were not Extended too far, and upon an undeniable Fund. The former you gave no answer to, and in answer to the latter you in part proposed a Revenue of the Government for a fund, which for this Emission I dare not assent to, tho' whenever any part of that Revenue comes into the Treasury you may rely on my assent to the applying it to any other occasion of Government if the General Assembly thinks it necessary. And during the continuance of this war you will always find a necessity to make use of that revenue, and a much larger if you had it. So that if I could assent to the appropriating the revenue you offer as a fund for the present Emission, I can't see any advantage would arise to the Province by such an assent.

Gentlemen,

As my Assenting to a further Emission of paper Currency is a direct violation of his Majestys Instruction on that head, which nothing but the safety and Protection of my country would tempt me to offer the least violence to, and for which I must lay myself at his Majestys feet for Pardon, so previous to my assent, I shall expect you choose a Committee to join with a Committee of his Majesties Council, to make a fair representation to your agent, of the necessity I was under to make this breach on the Royall orders, instructing him at the same time, to solicit at the proper offices, to take *of*, or prevent

any censure I may be subjected to, and during the continuance of the war you will have further occasion for money to be Emitted, Therefore the same Committee may and should be Impowered to write your agent to apply at the proper offices to obtain leave for the Emission of such sums of money as may be tho't necessary, during the continuance of the war, and unless such a Licence can be obtained, I now assure you I shall not be able to help you let the necessity be ever so urgent, tho' I have ventured to do it now upon the terms mentioned.

Council Chamber, in Portsmouth, July 10th 1744. B. WENTWORTH.

Voted that Messrs Speaker, Coll. Roby, Geo. Walton, Coll. Wallensford be a Comittee to waite on his Excelly to talk of the Reasonableness that the Interest of the £25000 Loan is a good fund for Raising money, &c.

P. M. Ebenr Stephens, Esq. sent to know if the Council had past on ye Wheel accts.

[P. 95.] Mr. Secy came with a Messa from his Excelly for that his Excelly thinks the House misunderstands his Messa—sundry other things to long to Enter.

Mr. Secy came in answr to the Messa pr Capt. Stephens & said that them accts were not past upon but was under consideration.

The House adjourn'd to the 11th currt.

Wednesday, July 11th 1744. The House met. Mr. Secy came & askt for Letters from Mr. Stone &c. which was sent up. The Answr Bro't in and accepted & unanimously voted to be sent.

The House adjourn'd to the 12th currt.

Thursday, July the 12th. The House met. And sent up

The answer to the Governor's Message of the 10th 1744.

[Copied from MS. "Govrs Messages," in Secretary's office, p. 309.]

May it Please your Excellency,

This House have attentively considered your Excellys Message of the 10th Inst. and have endeavored impartially to Enter into the merits of the main point in difference between your Excelly & the house, we have carefully reviewed what has past upon this occasion, and the rather for the hint your Excelly gave in one of your Messages, That a reconsideration would discover the Insufficiency of the Scheam we were upon, being sensible of the Biasses mens minds are subject to, and the strong attachment they are often under to an opinion once imbibed, or a Principle received with the appearance of reason.

We have been desireous to take of all prejudices, and to form as just & true a Judgmt in the case as possible. And after all beg leave to answer your Excelly, we can't see any Reason to depart from the method proposed in the Remonstrance and more particularly exprest in the answer of the House to your Excellys Messa of the 7th currt. In your Excellys last message you inform the House that you had come to a Resolution to assent to the Issuing

a sum of money upon this Extraordinary occasion within the limits of the Committees Remonstrance, Provided the periods were not Extended *so* far and upon an undeniable Fund.

Upon which we would observe, that we are at a Loss to understand your Excellys meaning, or why the Fund proposed is not undeniable we are not able to see, but apprehend it is a real substantial Fund sufficient to all intents and purposes to answer the Ends proposed & such an application of the Interest of the Loan, is only giving of it being, or fitting it for use a little sooner than it would otherwise have been if that Loan & the Interest answering has a sufficient Fund (and we presume that will not be denied at this time after the Royal approbation & the repeated Acts of the Governmt thereon) it must itself be as good & sufficient a Fund for any other Emission equal in value. The Stone in a Building which is well laid will always beare another of Equal weight. Nay wee think we may justly add 'tis a better Fund than the usual way of Taxing the Poles and Estates because they may be delayed and often in great measure defeated in Levying & collecting, for no particular part of a mans estate is bound to pay those Taxes, till it is seized, and by transferring of Estates & removal of Persons the Rates are often lost, at least delayed in the payment, which can't happen with respect to the security of the Loan, because a particular & sufficient part of ye Borrowers Estate is bound and can't be alienated to other purposes.

And if in any instance there should be a failure thro' defect of Title in the Borrower (in which regard all possible care has been taken) yet even then the Poles and Estates of the Inhabitants of the Province are bound to make it good. So that even then there will be as good a Fund for that part of the Loan as an Emission upon the Poles and Estates has at first. And therefore we are not able to discover any defect in it, or why it is not undeniable, unless what your Excelly says a little after, viz. That we propose a revenue of the Governmt for a fund contains just matter of objection; but as to that we beg leave to observe that we know no reason why it might not be a Fund, if it was at this time a Revenue. It will not in the least inconsist with the original designe of the Loan Bill. But rather will more effectually execute that designe by hastening and furthering the accomplishment of several of the things proposed in that act, and which it was calculated for, but as was before printed it is only more vigorously exerting ourselves to effect these good purposes for which we have the pleasure of his Majties approbation.

But further we can't see that this at present can properly be called a Revenue of the Governmt because as to that purpose it has not yet a being and the use we would make of it is like a man mortgaging the Reversion of an Estate which he is sure to have & which is good security for the vallue, tho' the Mortgage has no immediate profit, its therefore we can see no manner of inconvenience attending the application proposed on the one hand, but a certaine advantage & benefit to his Majesties good subjects whom we Represent, on the other, your Excelly will excuse us if we adhere to a Point which in this view necessarily becomes our Duty to do. When your Excelly tells us we have given no Answer as to the Limitation of the period for calling in the sum proposed to be Emitted, We can't but suppose that in the hurry of affairs it must have slipt your notice, for in that regard the Remonstrance of the Comittee & what was added by the House in their aforesaid answer to your Excellys Messa of the 7th of July, is explicit.

Your Excelly has been pleased to put us in mind of difficulties wth wch you are incumbred on this Emergencie, with regard to which We would express a proper concern by effectual endeavours to remove such of them as may be in our Power. But your Excelly is too well acquainted with the Duty properly incumbent on us, arising from the relation we stand in to the People, and the place we hold in the Governmt to need reminding that we ought to be equally concern'd (at least) to avoid bringing insuperable Burthens on our Constituants, And we assure your Excelly that nothing but a Sense of Duty in that regard prevents us from concurring in sentiments with your Excelly in the Point under Debate.

We conceive this House has not been backward nor slack of expressing their duty to his Majtie upon all occasions, of which there are standing evi-

dences in the Liberal advancement of sums far beyond the abillity of those they Represent, when his Maj^ties Hon^r & service cal'd for it, of which your Excell^y has had verry sensible experience in times past, in which regard we beg leave to be y^r Excell^ys remembrancers, and that we have not been behind hand on the present Emergencies we have the pleasure to see your Excelly^s concurring in opinion with us in your thanks for the assistance we had so chearfully given for the Defence of his Maj^ties subjects so lately as the 24th of May last, and what has been farther done since that has much enhansed the acc^t. So far is this House from incurring any just imputation of neglect or omission of their duty to his Maj^tie in not pursuing all just & reasonable measures that have been in their Power, since your Excel^y signified their Lordships comands referred to, and Especially since the Declaration of war, That we can't but think, on the contrary, we have been wanting in Point of tenderness to the People on whom the weight & burthen of all expenses must Eventually fall. If your Excell^y is under any restrictions with respect to the Fund we propose, which have not been mentioned, you will excuse us for not attending to them till we are particularly inform'd w^t they are. As for w^t has been urged, we think your Excell^y cannot possibly incur his Maj^ties displeasure in the least degree for waving it, And so far as we can judge it would be acting in conformity to what his Maj^tie has already approved. But if there was any danger in the case to your Excell^y there is no doubt but the House and their successors will be always ready to pursue all necessary measures for the safety and interest of a governm^t that should Risque any thing for the good of the People they Represent.

Upon the whole, as we apprehend it our indispensable duty to make a stand here, that if we go one step further we shall justly incurr the blame of our principals and the charge of deserting their Fundamental Interests, and that the Point insisted on is neither an infringm^t on the prerogative, nor the least imposition on the Governor. Till we can be better informed, we can't but think we are in the right, firmly to adhere to the Propositions already made.

In the House of Represen^ts And^r Wiggin, Speaker.
Voted unanimously to
be sent, July the 11th 1744.

[July the 12.] The Indian named Christo (1) was sent to the House by his Excell^ys order to know the mind of the House whether the Indian should be sent directly home or to Boston. The House Resolved to send him directly to Canterbury and there to be safely sent away with his gun & Provisions for a fortnight.

Mr. Sec^y Bro't a written Mess^a from his Excelly which was read, as on file (2).

P. M. July 12th 1744. Whereas on the twenty third day of Feby last past There was a vote of this House for the acceptance of £650 from Messrs Atkinson, Odiorn & H. Wentworth & M. H. Wentworth for the Repair Fort Wm. & Mary, Provided they should be allowed the Interest of six pr Ct. pr annum as they were to pay for each of their sums taken up out of the twenty-five thousand pounds Loan,—which vote was not concurred by his Maj^ties Council, but returned July 6th, And whereas there has been Sundry Repairs done at the said Fort, and there is none of the Interest of said £25000 Loan as yet come into the Treasury that was appropriated for that service, and present pay is wanted for

(1) For an account of Christo, see the "Farmer's Monthly Visitor," edited by Hon. C. E. Potter, Vol. 13, pp. 261, 262, 1853.—Ed.

(2) This Message cannot now be found.—Ed.

what is now doing; & Whereas Mr. Jotham Odiorn & Mr. Mark Hunking Wentworth, for the present Emergency of paym^{t} offers each of them the sum of two hundred pounds & Mr. Hunking Wentworth the sum of fifty pounds, all for one yeare upon the same Proviso that they be paid the same Interest as they are to pay for the Respective sums for the £25000 for ye first yeare, for [P. 96.] such part as each p'son hereby advances which generous offer the House accepts,

Voted, That each of y^{m} pay their respective sums into the Treasury, & to take his rec^{t} for ye same, and also Voted the said Jotham Odiorn, Mark Hunking Wentworth and Mr. Hunking Wentworth be paid each of them the sum of six pr. cent for one yeare commencing from the dates of their respective mortgages, for the several sums they advance as above said:—And that the Princi*ple* sums above advanced by the above named persons, & their respective Interest for said sums, be repaid them againe out of the Treasury out of the first Interest that shall be Bro't in to the Treasury for Interest of the £25000 Loan, Excepting the grants already made out of ye Interest, And that the above said sum of £650 pounds be for the paym^{t} of the Repaires of Fort Wm & Mary as has been done by & under the Inspection & mannagm^{t} of Messrs Jotham Odiorn & James Clarkson so far as they have been concerned, and as much farther as said sum will go in Repairing, &c. and that the said Jotham Odiorn and James Clarkson be a Comittee of this House to inspect and mannage the further Repairs of said Fort according to a clause in the act of the £25000 Loan.

Voted Unanimously, this addition to the vote, viz. And that an act be drawn up accordingly with Respect to the receipt & paym^{t}. of the money.

The act Prohibiting Trade & Comerce with the French & Span^{ds} &c. read ye first time.

The House adjourn'd to the 13th curr^{t}.

Fryday July 13th 1744. The House met.

Whereas James Clarkson, Esq. was chosen a Comittee man by and in the above vote he came this day into the House and desiered to be Excused from that charge & utterly refused & desiered his refusal might be Entred.

P. M. An act for Prohibiting Trade with France or Spain or the Indians &c. past to be Enacted and to continue for two years (if the War with either continue so long)

The affaire of some Speech of Mr. Clarkson on the 10th curr^{t} was under examination & Voted that the said James Clarkson was not guilty of any misbehaviour in Speech or action in ye House.

The House adjourn'd to the 14th curr^{t}.

[P. 97.] Saturday July the 14th 1744. The House met.

An additional Act for the Districts for two years past sent up. A Messa sent pr Saml Gillman Esq. to know if the Council had past upon the acct of the wheels and carriages, &c.

Mr. Secy came from his Excelly with a Messa that the acct sent to Inqr after was past upon, and the District act: the other act to lye under consideration, & then by order of his Excelly the Genll Assm is adjourn'd to Tuesday next 10 o'clock, A. M.

Tuesday, July 17th 1744. The House met.

A Messa sent to the Council pr Mr. Stephens to know if they had past on our vote of the 6th currt in relation to a Comittee for Repairs for Fort Wm & Mary, &c.

In the House of Represents.

Whereas at a Convention of the members of the Genll Assm by his Exy order on the 27th May last did advise to the sending two hundred men for the security of the Frontiers, and likewise on June 23d that his Excelly would order 150 men to guard & cover the Frontiers, and that 50 men including 15 as soldiers to be set to work on Fort Wm & Mary for a fortnight—Wherefore, voted That a Messa be sent to his Excelly, viz. to desier that his Excelly would give the House to understand how many of the said men as soldiers have been imployed in the several places and where stationed and how long they were on duty, that provision may be made for paymt of them. Voted unanimously.

J. J. Cler. Assm.

The above Messa sent by the Clerk. The House adjourn'd to the 18th currt.

Wednesday, July the 18th The House met.

In the House, &c.

Voted That his Excelly is hereby desiered to order 30 men for one month to Scout, cover and assist the settlemt at Canterbury and Contoocook, to help them save their graine, &c. Sent up.

The vote of July the 17th relating to the money to be Borrowed of Messrs Odiorn & Wenth sent up this morning.

Mr. Secy Bro't his Excellys answer to the Messa sent yesterday, how the men were disposed &c. as on file.

[P. 98.] Mr. Secy came with the vote last sent up relateing to the money Borrowed for the Fort, &c and Bro't a verbal message from his Excelly that he would not consent that Mr. Clarkson should be one of the Comittee for the Repairs of the Fort.

It was put to vote whether a Messa should be sent to his Ex-

cell^{y} to know his reason why Mr. Clarkson's name should be struck out of the Comittee app^{d} for inspecting ye Repairs of the Fort &c. in the vote return'd as above. It past in the affirm^{a}.

Whereas Mr. Sec^{y} return'd the vote sent up this day relating to Fort Wm & Mary, and also bro't a verbal Mess^{a} of this day from his Excell^{y} (to wit) That his Excell^{y} would not consent that Mr. Clarkson should be one of the Comittee for the inspecting and mannaging the Rep^{a} of Fort Wm & Mary as appointed in the Vote sent up this day, and Whereas it is the undoubted right of this House to appoint any member of the House into any Comittee as long as he stands legally quallified to sit in the House, and this House hitherto knows not of any thing whereby he is disqualified for being of said Comittee, [Voted, That his Excell^{y} be desiered to signifie to the House the Reason why his Excell^{y} cannot consent that ye said Clarkson may not stand as a Committee man as in s^{d} vote, that the House may try said Clarkson whether he stands legally quallified as a member, (if not) the House may dismiss him, and the Town he represents may make a new choice that may not be deprived of the use of a member in the House(1).]

The House having Reconsidered the vote, and considered of the Mess^{a} voted that this House adhere to their vote as sent up.

Sent up the vote that was returned.

Mr. Sec^{y} Bro't a written Mess^{a} from his Excell^{y} which was read, as on file, & likewise the vote ab^{t} the Fort sent up twice to day.

[p. 99.] P. M. The House adjourn'd to the 19th curr^{t}.

Thursday July 19. The House met. The vote for repairing Fort Wm & Mary sent up. A Mess^{a} pr Mr. Sec^{y} y^{t} ye vote was concurr'd & that himselfe and Mr. Jaffrey was added a Comittee & Roby by the Council to draw ye act.

P. M. A vote for Emitting the sum of £10000 to carry on the War, &c. as on file sent up.

Mr. Sec^{y} Bro't down 3 Petitions viz. Daniel Jacksons 2. Jon^{a} Palmer & Daniel Fogg. 3^{d} The inhabitants of the Town of Exeter.

Daniel Jackson & others Petition read and voted that they be heard on the third day of the sitting of the Gen^{ll} Assembly after the last day of July curr^{t} and that the parties appeare and bring the orriginal Deed or writing that created the Entaile.

Palmer & Fogs Petition read and voted that the Petitioners at their cost serve the Select men of North Hill with a copy of this Petition and votes thereon That they appeare the third day of ye sitting of ye Gen^{ll} Ass^{m} after the last day of July curr^{t} to shew cause why the Prayer of the Petition may not be granted.

(1) The lines above included in brackets are *crossed* in the record.—Ed.

Exeter Gen^{t} Petition read and voted, That Petitioners at their own cost and charge serve the Selectmen of the old town of Exeter with a coppy of this Petition, and the votes thereon, that the said Selectmen may call the said town together to choose agents (if they see cause) to appeare the second day of the sitting of the Gen^{ll} Ass^{m} after the last day of July curr^{t} to shew cause (if any they have) why the Prayer of the Petition may not be granted,

The House adjourn'd to the 20th 1744.

Fryday July the 20th 1744. The House met.

Langdon & Lears Bill read & past to be enacted. The above 3 Petitions & Bill sent up. The vote for raising £10000 for carrying on the War returned & another drawn up.

P. M. The act for Borrowing 450£ for repa^{r} of the Fort past, & vote for Emitting £10000 for the war past. Both sent up.

The House adjourn'd to the 21st curr^{t}.

[p. 100.] Saturday July 21st 1744. The act for Borrowing £450 for repairing the Fort past & sent up.

Voted That a Tax of £1000 be laid on the Poles and Estates payable in 10 X^{br} next.

In the House &c, Voted That there be a Tax of £1000 laid on the Poles & Estates of the Inhabitants of this Province to be paid into the Treasury by the 10th Day of X^{br} next, to be for the paym^{t} of the Debts of the Province as the Gen^{ll} Ass^{m} shall order, and that the Treasurer immediately Issue out his Warrants to Levy the said sum of £1000 to be paid according to the last proportion, and that an act be drawn up accordingly. Sent up.

Mr. Sec^{y} came with a Mess^{a} that the above vote was Concurr'd & that his Excell^{y} had ordered the Gen^{ll} Ass^{m} to be adj^{d} to Tuesday next 10 o'clock.

Tuesday, July 24th. The House met.

P. M. Mr. Sec^{y} Bro't 2 Letters, 1 from James Farnam & one from Coll. Peter Gillman, both ab^{t} an old Indian taken and sent in, with a Mess^{a} pr Mr. Packer for the House to dispose of him as they tho't fit.

The House adjourn'd to the 25th curr^{t}.

Wednesday July 25th. The House met. There was bro't in and Burnt old money £668: 14: 6, of the £15000 Loan.

P. M. Voted that James Clarkson Esq. be of this House to joyne such as the Honble Council shall appoint to draw up the act of the £1000 payable Xbr next.

Mr. Secy Bro't sundry Petitions from the Frontiers & yt Capt. Huske was appd to joyn Mr. Clarkson abt the act.

Burnt of the Loan	£102: 7: 6
of the Tax for the yeare	£1122: 6(1)

The House adjourn'd to the 26th currt.

Thursday July 26th 1744. The House met. A Bill bro't in for a Tax of a thousand pounds.

P. M. Vote, That the Indian lately sent in pr Coll. Gilman be sent pr Mr. Spofford to Fort Dumer and there deliver'd Coll. [p. 101.] Williard, whom his Excelly is Desier'd to direct to deliver to the Indians (if any there). If none there then forthwith to give the said Indian some Provision & send him into the woods with som English, clear of the settlements and let him go to seek his friends, and that Mr. Spofford be paid out of the Treasury the sum of seventeen pounds ten shillings old Tenr for carrying the said Indian to Fort Dumer & delivering him to sd Coll. Williard—the said Spofford to be at all charges on the Journy,—& that there be given the said Indian by the Treasurer an —— shirt, a pre moggasins and some Bayes to make a paire of Indian stockings.

Allowed Mr. Hunking Wentworth four pounds nine shillings to be pd out of the Interest of the 25000£ Loan for pens, Ink, &c. for the signers of the Bills & carrying Mr. Johnson's things to Boston.

An act past for raising *on* thousand pounds payable the tenth Xbr next.

The House adjourned to the 27th currt.

Fryday July the 27th 1744. The House met.

Daniel Meader & the agents for Durham heard on Meaders Petition &c. upon opening, the copies from the Clerk of Durham, does not appeare alike, Therefore voted, that the Clerk of Durham be hereby ordered to appeare and bring the Town Book wherein the votes are Entered, into the Genll Assm the third day of the sitting of the Genll Assm after the last day of July currt when the parties shall be heard, and that Daniel Meader serve the Town Clerk with a coppy of their vote.

(1) This record is blotted and obscure.—Ed.

Eod^{m} Die. Voted that Benjamin Akerman be paid out of the Publick Treasury (out of the money laid in for contingencies &c) the sum of forty pounds old Tenor for his service as dore keeper [p. 102.] for the year 1743 from the 15th of April 1743 to the 15th April 1744 in full. Sent up. The House adjourn'd to the 28th curr^{t}.

Saturday July 28th A. D. 1744. The House met.

Eod^{m} Die. Voted that his Excell^{y} be desired to keep out ten men Schouting six weeks in the woods across the heads of Rochester & Barrington to Nottingham Line, and ten men more to schout from Nottingham line a Cross Nottingham and Chester, and to keep constantly marching upon Discovery, and ten more to schout on the West side of Merrymack River where his Excell^{y} shall think proper to order them. And that five men be added to those three that are already at Fort Wm & Mary to be kept constantly at the Fort to exercise the Guns &c. all for six weeks. (Another vote sent up instead of the above, Aug. 23, 1744.)

Voted that there pd Mr. Richd Cutt jun. of Kittery the sum of £45 old Tennour for Sodds for the Fort Wm & Mary & victuals for some men.

A Mess^{a} sent up to withdraw the 3 votes sent up June 26th ab^{t} Winnipissiokee.

Mr. Sec^{y} came in ans^{r} to the above Mess^{a} viz. y^{t} £2500 was not acted upon, the other two were acted upon & lyes before his Excell^{y}.

Then Mr. Sec^{y} said his Excell^{y} had ordered the Gen^{ll} Ass^{m} to be adjourn'd to the 21 Augt next.

[p. 103.] Tuesday, August the 21st 1744. The House met according to adjournm^{t}. Adjourned to the 22^{d} curr^{t}.

Wednesday Augt 22^{d} 1744. The House met.

Mr. Sec^{y}—That his Excell^{y} could not assent to the votes of ye 26th June ab't the Fort at Winnipissioke, and y^{t} he assented to ye vote for £5500, and you might draw act thereon.

In the House &c. June 26.

Whereas the exigencies of the Present Warr requires money to carry it on for the Defence of his Maj^{ties} subjects of this Province, which lye verry much exposed by a large Frontier ag^{t} the French settlem^{ts} of Cannada, who have fortified themselves since the last Warr by Strong Fortresses much nearer us than formerly,

The Inhabitants of this Province being already laden with large Taxes, and no money in the Treasury & no other way to raise money to carry on the warr but by an Emission of Bills of Credit, Therefore Voted, that there be forthwith struck, Stamp'd and sign'd off the sum of £2500 in Bills of Credit of the same vallue and under the same tennor & kind, as the Bills of Credit of the £25000 Loan, and of the same vallue, and under the same Regulation & signed off by a Comittee to be appointed by the Gen^{ll} Ass^{m} and put into the Treasury for the paym^{t} of the soldiers, purchasing Powder & ammunition, Provisions & small arms, & for scalps (in case of an Indian War) in the manner following; viz. For two hundred soldiers for guarding & scouting &c. officers & charges & Loss or deficiencies in Provisions &c: two thousand seven hundred and fifty pounds, for purchasing Powder, Bullets &c. Flints, small arms for the Fort one thousand Pounds, for scalps (in case of an Indian War) £1750. And that as a fund & security for drawing in & repaying the same into the Treasury That there be granted unto his most excellent Maj^{tie} a Tax of £5500 to be levied on the Poles and Estates both Real and p'sonal within this Province according to the last Proportion (or according to any new Proportion which the Gen^{ll} Ass^{m} may or shall come into hereafter before the times of paym^{t} herein appointed to be made), which shall be in the following manner.

[p. 104.] viz. £1375 in Feby in the yeare 1751.
£1375 in the yeare 1752 in Feb^{y}.
& £1375 in Feby 1753.
& in Feby 1754 £1735.

And when Bro't into the Treasury to be Burnt in the face of the Gen^{ll} Ass^{m}.

James Jeffrey, Cler. Ass^{m}.

In Council, July 28, Read and Concurr'd

Theo. Atkinson, Sec^{y}.

Aug. 22. Assented to with a suspending clause in the Act until his Maj^{ties} pleasure shall be signified thereto.

B. Wentworth.

Voted that the following Mess^{a} be sent to his Excell^{y}.

May it Please your Excelly.

The House desires to know if the thirty men granted for Schouting six weeks across the Head of Rochester & Barrington & Chester & on the west side of Merrymack River, has been improved in that service, according to the vote of the General Assembly made the 28th of July last past.

Exeter Petitioners heard on their Petition, both Parties p'sent, the agents for Exeter made a motion to the speaker that as he was a carryer on of the meeting in that new Meeting House that he could [not?] sit as a Judge to hear the affaire. Upon wch the

parties were ordered to withdraw and then they considered thereof: whereupon the Speaker withdrew, and the House proceeded to the choice of a speaker protempore, Ebenezer Stephens Esq. was chosen. The Council for the Petitioners next objected ag^{t} any that had assisted at *an* Council held at Exeter from sitting, Richd Jenness Esq. being one. Another objection ag^{t} any that had prejudged & p'ticular ag^{t} Capt. Israel Gilman, the House considered thereon, Mr. Jennes said he was there but not in giving judgm^{t}. Then it was put to vote if they either of them should withdraw. It past they should not.

The Town of Exeter put in an answer to the Petition in writing, To wch ye Petitioners pray'd time to answer in writing, Upon which the House considered and ordered that they have time to answer the same until the third day of the sitting of the Gen^{ll} Ass^{m} after ye 5th of 7^{br} next.

The House adjourn'd to the 23^{d} curr^{t}.

[P. 105.] Thursday the 23^{d} 1744. The House met.

In the House of Represent^{s}.

Whereas there was (on the 28th July last past) a grant of the Gen^{ll} Ass^{m} of thirty men to scout for six weeks in the woods, which said 30 men the House are Informed has not as yet been improved according to said Grant, Wherefore Voted, That his Excell^{y} is hereby desired forthwith to send out forty men instead of the said thirty men for one month, 15 of s^{d} men to scout from Newichwan^{k} River to the head of Chester, 15 more on Scout ab't Canterbury & Contoocook & to the westward of Merrymack. Sent up.

The North Hill men heard on their Petition P. M. Mr. Daniell Jackson & Brethren app^{d} to be heard tomorrow.

Meaders & the opposite Parties heard on Meaders Petition & voted to be dismissed.

The House adjourn'd to the 24th curr^{t}.

Fryday, Augt 24th 1744 The House met.

Mr. Sec^{y} came with a Mess^{a} from his Excell^{y} viz. signifying that Col. Rolph (1) was now in town and that he wanted the

(1) Col. Benjaman Rolfe of Rumford, now Concord. Col. Rolfe was appointed delegate, by the inhabitants of Rumford, to represent "their deplorable case" to his Excellency and the General Assembly. The following Petition, signed by all the inhabitants of Rumford, was presented about this time:

"June 14th 1744.

"We the subscribers, Inhabitants of ye Town of Rumford, apprehending ourselves greatly exposed to imminent danger both from ye French & Indian Enemy, and being in no capacity to make a proper stand in case of an attack from them, doe therefore constitute and appoint Coll. Benjamin Rolfe as our delegate, requesting him in the said capacity forthwith to repair to Portsmouth, and to represent our deplorable case to his Excellency

House to send some order ab't the soldiers that are out in the service in that Regiment, that Mr. Rolf may carry it with him, &c.

In the House &c.

In answer to the verbal message bro't from his Excell^{y} this day pr Mr. Sec^{y} Relating to the soldiers out in the service on the West side of Merrymack River, the House unanimously say they will conform to the Grants made for the soldiers they have desired his Excell^{y} to order out, and pray that the muster Roles of all the soldiers that have been out according to the Grants made by Gen^{ll} Ass^{m} to the 20th July last past may be bro't in as soon as possible. Sent up.

Mr. Daniel Jackson & others Petition Read and all the parties heard and voted that the Pray^{r} be granted & the Petitioners leave to bring in y^{r} Bill.

[p. 106.] Upon motion made by Capt. Henry Sherburn for getting his and soldiers Provisions at the upper Towns on Merrymack, Voted that himself and the soldiers be allow^{d} 3*s* pr day for meat bread & rum, and also voted £10, pt. of his Wages out of the Treasury old Tenor.

A vote for paym^{t} of £126 for the soldiers & £10 to Capt. Henry Sherburn, on file.

A vote Relating to Methuen & Dracut past, as on file.

An Act for enabling the Constables of Brentwood past and sent up.

The House adjourn'd to the 25th 1744.

Saturday, Augst the 25th 1844. The House met.

Sent up West End Dover Petition & North Hills mens Peti^{n}, and 5 men 1 month at the Fort add^{l} as on file.

The affaire of the Gov^{rs} House came on, & the House voted an adhering to their votes of the 6th of Jany last past & 7th of Jany. Sent up all above.

Mr. Sec^{y} Bro't the same votes down to have the House reconsider thereon, p'ticularly to add £50 for ye first years Rep^{n} &c. The House adhered to the above votes & sent it up wthout any further Entry.

25 of 7^{br} next adjourn'd pr his Excell^{y}.

our Capt. General & ye General Assembly & to request of them on our behalf such aids, both with respect of men & military stores, as to their great wisdom may seem meet & which may be sufficient to Enable us with ye Divine Blessing, vigorously to repell all attempts of said Enemies against us."

(Signed by) Timothy Walker, and 63 others.

[See Bouton's Hist. of Concord, p. 152-3.]

[P. 107.] Sept. 25th 1744. The House met, p'sent as Entred.

Mr. Secy came by his Excellys order & read a Letter from Mr. Justice Scale of Canterbury Relating to the Indian Chief Christo, who has surrender himself up to ye English with further Messa to know the mind of the House wt to do with him. The House Genly of opinion that he should be taken care off Down here neare the sea.

Then by his Excellys order the Genll Assm adjd to the 28th [?] of 8br next.

October the 29th 1844. The House met according to adjournment. Mr. Secy came in with a Messa from his Excelly ab't Providing money for the carrying on the Warr next yeare and for Raising men for the Fort & Garrisons, by Remonstrating to his Majtie &c.

The House adjourn'd to the 30th curt.

Tuesday 8br the 30th 1744. The House met.

P. M. Meaders Petition Bro't Down to be reconsidered. Voted that it be heard next sitting.

Mr. Secy Bro't a letter from Mr. President from our agent & Read it and pray'd a copy wch the Clerk had libberty to take.

NOTE. The letter above referred to is not found on file, but the following official paper may properly be inserted here:—ED.

[Copied from MS. Corr. in Secretary's office, p. 221.]

At the Court of Kensington the 6th Day of September 1744.

Present

The Kings Most Excellent Majesty,

Lord President	Lord Delaware
Lord Privy seal	Mr. Speaker
Earle of Winchester	Mr. Vice Chamberlain.
Lord Carterel	

Whereas there was this day read at the Board a Report from the Right Hon'ble the Lords of the Comittee of Council for Plantation affairs, Dated the 21st of last month, relating to sending a supply of ordnance and stores to the Province of New Hampshire, upon condition that the agent of sd Province should give sufficient security to pay the value of the Powder within such Time as the board of Ordnance should think Proper & Reasonable;

And whereas his Majesty hath been pleased to approve thereof and to order the Master General of the ordnance to cause the Proportion of Ordnance & stores contained in the Paper hereunto annexed, the Expence whereof as Estimated by the Board of ordnance amounts to four thousand six hundred and Twenty pounds sixteen shillings & six pence, to be forthwith sent to the said Province of New Hampshire, Provided the agent of the sd Province do first give sufficient security to pay the value of the Powder within such time as the sd Board of Ordnance shall think proper & reasonable. His Majesty doth therefore hereby signify the same to the Governour or Com-

mander in Chief of the Province of New Hampshire & Doth require & command him to take Particular care in the Preservation of the s^d ordnance & stores & that they be not Expended but on proper & necessary occasions only.

W. SHARP.

Copy Ex^a Theodore Atkinson, Sec^y.

The House adjourned to the 31st curr^t.

Wednesday 8^br the 31st. The House met. Nottingham Act past to be Enacted.

A Petition from Londonderry between the old P'ish & the new bro't in.

The House adjourn'd to the first of 9^br.

[P. 108.] Thursday November the 1st. The House met.

Londonderry Petition read and voted that the Prayer of the Petition so far as concerns the signers of ye agreem^t be granted & y^t ye New Parish be made a perticular precinct by the name of —— and y^t they have the Priviledges as other Parrishes or Towns have by ye Laws of this Province (Excepting the choice of Assembly man which must be as usual for ye whole Town) And as to the forty families formerly plotted off, that their Persons and Estates stand as they are, and likewise their successors in the Estates either by Descent or purchase to Remaine the same, and as to any new comers, that is tradesmen or inmates that they shall signifie to the Clerk of the Town within 3 months after they come, where they will belong, and that all children and servants when they become Rateable shall pay where their Parents or Masters pay, And that the Petitioners have liberty to bring in a Bill accordingly.

P. M. In the House &c. Voted that every Town Parrish & District within this Province do forthwith Provide at their respective charge 5 pre. of snow-shoes & 5 pre. of Moggasins, & so in Proportion for every fifty men for every rateable Pole that was bro't in in the last proportion, the same to be always Ready for any Emergency in sending out soldiers on any Expedition, and that they be deposited in the hands of the Select men in each Town, and that such Town &c. as neglect & refuses to make such stock by the 20 X^br next be under a fine of — and that the selectmen be Enabled to Raise a Tax on the Inhabitants for doing the same, and y^t the Treasurer send his Warrants to the Select men of each Town & District for doing the same. The House adjourn'd to the 2^d curr^t.

Fryday 9^br the 2^d 1744. The House met. Adj^d to ye 27th curr^t.

[P. 109.] November the 27th 1744, The House met. And the Secretary by his Excellys order adjourned the Genll Assmbly to the 18th Decembr next.

Tuesday December the 18th A. D. 1744, The House met. The Secy by his Excellys order adjd to 4 o'clock P. M.

P. M. Met and adjourn'd to the 19th currt.

Wednesday Xbr 19th The House met. Mr. Secy Bro't a Messa viz. That Mr. Prescot was in Town and made out his claime to some small arms & to know if the House would pay for them, or else he must return ym and to know what the House would do abt the Deed of Mr. Mason.

In the House, &c. Voted, That Mr. Jotham Odiorn and Coll. Peter Gillman be a Comittee of this House to joyn such as the Honble the Council shall appoint to treat with Mr. Peter Prescot ab't the small arms that his Excelly lately impress'd for the Fort and make their Return to the Genll Assm as soon as possible.

P. M. The Petition of Wm. Cate one of the Select men of Barrinton for abatemt of their Rates &c. read. Francis Tucker's Memo ab't Danl Born, read.

Voted That Mr. Cate's Petition relating to Barrington be dismiss'd.

The House adjourn'd to the 20th currt.

Thursday Xbr the 20th 1744. The House met.

In the House of Represents, Voted That each soldier Centinel shall be paid twenty five shillings pr month and a Serj. thirty five shillings pr month.

Coll. Peter Gillman's acct as Comissary & three Muster Roles past & sent up.

[P. 110.] P. M. Voted That Meaders affaire be heard next Thursday, & Exeter affaire tomorrow, P. M.

The House adjourn'd to the 21 currt.

Fryday Xbr the 21. The House met.

P. M. Voted That there be twenty one men Raised to scout the Frontiers for 2 months, in the winter season. Sent up.

[P. 111.] Exeter affaire came on. Both parties Present &

their Council. The Council for the Respond^{t} made a motion, That Whereas there was a Speak^{r} pro tempore chosen formerly in the case, whether the s^{d} Speaker should sit or not. The parties were ordered to withdraw. The old Speaker kept his chaire and the parties called in and heard by their Council. After hearing the Council the House having considered thereon, the Question was put whether the Pray^{r} of the Peti^{n} be granted. It past in the negative.

Then the Question was put whether the Peti^{n} be dismiss'd or not. It past that it be dismiss'd, Then the House adjourn^{d} to the 22^{d} curr^{t}.

[P. 112.] Saturday December the 22^{d}. The House met.

Mr. Sec^{y} came and by his Excel^{ys} order adjourned the Gen^{ll} Ass^{m} to the 31st curr^{t}.

Monday, December the 31, 1744. The House met.

Mr. Sec^{y} bro't down a vote of Council Relating to the Table of Fees, &c. which was read, and a vote of the House ordered to be drawn.

The House adjourn'd to the first Jan^{y}.

Tuesday, Jany the first, A. D. 1744–5. The House met.

In the House &c. Jany 1st 1744—Forasmuch as the vote of the Gen^{ll} Ass^{m} of the 16th day of X^{br} 1743, Establishing a Rule for all Judges, Justices & other officers within this Province to be govern'd by, in taking Fees, Fines & Forfeitures as by Law Established before the yeare 1740, was past to continue & be in force till the 25th of December last past & no Longer, and for as much as it is necessary to prevent any Disputes and that all p'sons as well as officers and others may know what Fees &c are to be p^{d}.

Ordered, That one shilling of the Lawfull money of this Prov: lately Emitted shall be rec^{d} in paym^{t} for two shillings of any Fees, Fines or Forfeitures by Law Established before the yeare 1740, and so in proportion for a greater or lesser sum, & all officers civill & military are hereby Respectively to govern themselves accordingly in all cases, Except where any fees, fines & forfeitures are Established by act or acts of Parliam^{t} or by act of this Governm^{t} Relating to the better preservation of his Maj^{ties} Woods, and this order to continue & be in force for three years unless otherwise ordered by the Gen^{ll} Ass^{m}.

[P. 113.] In the House &c. Voted, That each Town, Parrish, Precinct & District within this Prov: make and find so many

paire of snow shoes as is carryed off ag^{t} such Town, &c. as hereunder written, and as many pair of moggisons all well fixt with straps and all necessarys for their being ready on any Emergency now in time of warr, all to be ready by the 28th day of Jany curr^{t} and when made that the Select men of every Town, Parrish &c. deliver the said snow-shoes & moggasons to the Field officers of each Regim^{t} where such Town, Parrish &c lyes, taking their Rec^{t} for the same; and the Field officers to consult and app^{t} from time to time where the said snow shoes &c. shall be lodged to be in readiness on any Expedition, and that the Selectmen in each Town &c. are hereby fully impowered to make Rates for paym^{t} of the making s^{d} snow shoes, moggisons &c. and y^{t} an act be Drawn up accordingly, and that Ebenez^{r} Stephens & Sam^{ll} Gillman Esqs. be a Comittee of this House to joyn such as the Honble the Council shall appoint to draw up said act. Sent up & the vote ab^{t} Fees. The proportion of snow shoes are on the List 513 paire.

Mr. Sec^{y} came and said That the vote ab't Fees was past and assen^{d} to, and that the vote ab't snow shoes &c. as it Required time to draw an act, that the several members should notifie the respective Towns &c. and then said his Excelly Required the attend^{a} of House at the Council Board. They went up accordingly, When his Excell^{y}

Disolved the Gen^{ll} Ass^{m}.

[P. 115.] Province of New Hamp^{r} } *Anno Regni Regis Georgii Secundi, Magnæ Brittaniæ, Franciæ et Hiberniæ, Decimo Octavo, &c.*

A Journal of the House of Representatives at a General Assembly of his Majesty's Province of New Hampshire in New Engl^{d} began and held at Portsm^{o} in s^{d} Province on Thursday 24 January, Anno Dom: 1744–5.

Present.

Portsm^{o}	Nathaniel Rogers, Esq Eleazer Russell, Esq Henry Sherburn, jun.
Dover	Coll. Thomas Wallingford Thomas Millet, Esq. Capt. John Winget
Hampton Hampton Falls	Saml Palmer, Esq. Mr. Joseph Philbrook Mr. Meshech Wear
Exeter	Col. Peter Gilman Mr. Zeb. Gideons

Stretham	Moses Levitt, Esq.
New Castle	William Frost, Esq.
Rye	Jonathan Lock
Kingston	Maj^{r} Eben^{r} Stevens, Esq.
Greenland	Clement March, Esq.
Newington	George Walton, Esq.
New Market	Capt. Israel Gilman
Durham	Capt. Jonathan Thompson
Londonderry	—— ——

[P. 116.] At twelve in the forenoon, were present in the Court House the Representatives of

Portsmouth	3
Hampton	3
New Castle	1
Rye	1
Exeter	2
New Market	1
Greenland	1
Stretham	1
Newington	1
	14 members

Besides five gent^{t} who sd that y^{y} came to Represent some places that never sent any Representative to this Court before. After one of the clock all the above members withdrew hearing nothing from his Excell^{y} the Governour or Council. At three of the clock met again & were present at the same place all ye above Representatives and also the Representatives of the Town of

Dover	3
Durham	1
Kingstown	1
	19

All the members waited till five & then the Secretary came & told them that his Excell^{y} the Governour sent him to tell them that he had adjourned the General Court till to morrow Eleven of the clock, that the Sheriff had but just Returned the precept & the Council were adjourned,—upon which it was thought proper to send Nathaniel Rogers, Esq. & Maj^{r} Eben^{r} Stevens, Esq. to inform his Excell^{y} how many members had been waiting & how long: who returned & informed that his Excell^{y} told them that the Sheriff had but just Returned the Precept and that he did send the Secretary to adjourn the Gen^{ll} Court till to morrow Eleven clock.

Fryday, Jany 25 Met at Eleven of the clock, all but the Representative of Durham. Mr. Secretary Atkinson came to the House & said that his Excell^{y} sent him to see if the House were together & imediately after the Honble Theodore Atkinson, Richard Wibird & Samuel Smith, Esq. came down from the Council Board and acquainted the House that they were appointed by his Excellency to administer the oaths appointed instead of the oaths of supremacy & allegiance & see them subscribe the declaration—which being done they withdrew. Besides the above mentioned members the oaths were administered to

Coll. Benj^{a} Rolphe of Rumford,
Mr. Henry Saunders of Methuen & Dracut District,
Mr. Joseph Jewell of South Hampton,
Mr. Ben^{a} Hills of Chester,
Capt. Nich White of Haverhill District,

places that never were Entitled by the House or Gen^{ll} Court to send a Representative to set in the Gen^{ll} Assembly of this Province. Soon after the administration of the oaths &c. the Secretary came down & told the House that his Excellency Required the House to choose a Speaker & present him. Upon which one of the members observed that there were several persons present more than used to be in former assemblys viz.

Coll. Benj^{a} Rolphe
Mr. Henry Saunders
Mr. Joseph Jewell
Mr. Benj^{a} Hills
Capt. Nich White
} from ye above mentioned places.

[p. 117.] And being asked how they came here, answered that the places from whence they came were required by the High Sheriffs writ to choose & send Representatives to attend & serve in this Court, & that agreeable thereto they were chosen & sent. Whereupon a motion was made & unanimously agreed to send Coll. Peter Gillman Esq. & Nath^{ll} Rogers Esq. to his Excell^{y} the Govr with the following written message, viz.

May it Please your Excellency,

The House having Rec^{d} a verbal message from your Excell^{y} by Mr. Secretary Atkinson's requiring them to choose a speaker & observing that five Gentlemen, viz. Coll. Benj^{a} Rolphe, Capt Nich. White, Mr. Joseph Jewell, Mr. Benj^{a} Hills & Mr. Henry Saunders appear among them as members of the House, who upon enquiry are found to come from Rumford, Haverill District, South Hampton, Chester & Methuen & Dracut District, places which have no power by any Law or usage of this Province that we know of to send any person to Represent them at this Court, Therefore pray (that before they proceed to the choice of a speaker) your Excell^{y} would be pleased to inform by what means those places are authorized to send a member to this Court.

Mr. Secretary Atkinson came down & said that he was directed by his Excell^{y} to acquaint the members, in answ^{r} to their message,

That the members inquired after were called here by the Kings writ which was Issued by the advice of the Council.

Soon after Mr. Secretary Atkinson came & told the House that his Excell^{y} adjorn'd the Gen^{ll} Court till four of the clock in the afternoon.

The House met according to adjournment, & present as before. While they were preparing another written message to send to his Excell^{y}, Mr. Secretary and Mr. Solley came & told the House that his Excell^{y} required them imediately to choose a speaker; but before they had time to choose a speaker or send the message wch was preparing, Mr. Secretary came again & adjourned the House till to morrow ten of the clock.

Saturday, ten of the clock, Jan. 26, 1744—Met according to adjournment and after some debate the Question was put whether the five Gen^{t}, viz. Coll. Rolphe, &c. from Rumford, &c. should have a voat in the choice of a speaker. It past in the negative by a great majority, only two members, viz. Greenland & Newington voting in the affirmative & two others not being clear did not vote at all. Then the House proceeded to take a list of the members names (1) which are as follows. The House proceeded to bring in y^{r} votes for a speaker, which being exam^{d} it appeared that the Honble Nathaniel Rogers was chosen Speaker of the House by a majority of votes & was accordingly conducted to the Chair.

Voted, That Maj^{r} Eben^{r} Stevens, Coll. Peter Gillman, Capt. Jos. Winget & Henry Sherburne jun. be a Comittee to wait on his Excell^{y} & inform him that the House had made choice of Nath^{ll} Rogers Esq. to be their Speaker: wch message they delivered, & Mr. Secretary Atkinson & R. Wibird Esq. came down & told the House that his Excell^{y} sent them to Inquire whether all the members that were qualified voted on the choice of a speaker, on which it was Voted that Wm. Frost Esq. & Henry Sherburn jun. go up with the following message to his Excell^{y}.

[P. 118.] *May it please your Excelly*

In answer to your Excelly^{s} message by Mr. Secretary & Mr. Wibird, all the members which Represent the Towns & Parishes which heretofore used to send Representatives to sit in the Gen^{ll} Assembly of this Prov: voted in the choice of a speaker & no others.

Mr. Secretary & Mr. Wibird came down with ye following message: Before his Excell^{y} can approve or disapprove of the choice of a Speaker he desires to know why those members were excluded from a vote in the choice of a speaker.

The House Imediately sent up Mr. Henry Sherburne & Mr. Gideons with the following verb^{l} answ^{r}:

(1) In the margin, "Members names on ye first page."—Ed.

If your Excell^{y} means in y^{r} message by Mr. Secretary & Mr. Wibird the persons wch told the House they came from Rumford, Haverhill District, Methuen & Dracut, South Hampton & Chester the Reason why they were excluded voting in the choice of a speaker was because the House do not know of any Law or usage of this Province by which those places are entitled to the Privilege of sending members to represent them in this Court.

Mr. Secretary Atkinson came down with the following Mess^{a} from his Excell^{y}: His Excell^{y} sent me to acquaint the House that the members were called in by the Kings writ agreeable to former practice, That his Excell^{y} knows of no other way, That if the House know of any President of their being called any other way his Excell^{y} desired they would acquaint himt hereof, that the publick business may not be hindered.

Upon which the following Message was Imediately voted & sent by Mr. Sherburne & Mr. Winget.

May it Please your Excelly

The House in the short time they have had to search, find upon their Records in the year 1714, a vote Entitling the Town of Kingstown to send a member to sit in this Court. In ye year 1726, a vote that a precept should go to the Town of New Castle requiring them to choose a Representative for Rye: In ye y^{re} 1732-3 a Petition from the Parish of Greenland praying the Privilege of having a Representative which was granted. By wch it appears to the House, that no Town or Parish (not before priviledged) ought to have a writ sent to them to choose a Representative without a vote of this House or act of the General Assembly.

Then the House proceeded to the choice of a clerk &

Voted, Mr. Henry Sherburn be clerk of this House till another is chosen & sworn in his Room, & the oath proper to s^{d} office is admin^{d} to him by Maj. Eben^{r} Stevens, Esq.

Voted That Capt. Israel Gilman, Mr. Meshech Weare & Mr. Jonathan Lock be a Com^{te} to go to Mr. James Jeffry the late clerk of the House of Representatives & demand of him all the Books, Records & files that belong to this House & bring them directly to the House.

[P. 119.] Mr. Secretary Atkinson came down & told the House that his Excell^{y} had adjourned the General Court to Monday next twelve of the clock, that his Excell^{y} will furnish himself with Precedents and desires the House will do the same.

Monday Jany 28th, 1744—Some of the members being present Richd Wibird Esq. came to the House & by order of the President adjourned the Gen^{ll} Court to four of the clock in the afternoon.

4 o'clock, Met according to adjournment, & Richard Wibird Esq. came into the House & said 'twas his Exc^{ys} order the Genl Court should be adjourn'd till to morrow half an hour past ten.

Tuesday, Jany 19, 1744—Met according to adjournment. Present all but Mr. *Steven.*

Sent up Mr. Wear & Mr Gideons to inform his Ex^{cy} that there is a House, Mr. Wibird came down & told the House that his Exc^{ly} desired to know if there was any Law of the Province supporting the setting aside any members called in by the Kings Writ for voting in the choice of a speaker. The House Imediately sent up the following Message by Clement March Esq. & Wm. Frost, Esq.

May it please your Excelly,

On your Exc^{ys} desiring us to produce some precedents of the Right being in the House or Genl Court to grant the Priviledg to any Town or Parish of sending Representatives to sit in the Genl Assembly, wee Informed your Exc^{y} that wee found in the Records of the House that in ye year 1714 a vote was passed in the House entitling the Town of Kingstown to the priviledge of sending a member to sit in this Court. In ye year 1726 a vote that a Precept should go to the Town of New Castle to choose a Representative for Rye; In ye y^{re} 1732 a Petition from the Parish of Greenland praying the Privilege of having a Representative which was granted—since wch on further examinations wee find that in ye year 1725 a vote was passed & concurred above desiring his Hon^{r} the Govr to send a precept to Londonderry Requi^{r} them to send a person duly qualified to Represent them in this Court, & for further instances of the power being in the Genl Assembly we would Refer his Exc^{y} to several acts in the Secretarys office by wch New Market & Durham were intitled to the privilege of sending members to sit in ye Genl Assembly, and also to the acts by wch Brentwood, Epping &c. were Incorporated into Parishes, wch plainly infers the Right to be in the Genl Court, & therefore that such as are called on from places y^{t} are not Privileged by the Genl Court ought not to vote in this House in the choice of speaker, but the House ought to exclude them as much as if they came from another Province.

[P. 120.] Soon after this Mr. Wibird and Coll. Downing came to the House & read the following message from his Exc^{y} and carryed ye paper they read out of away again, viz:

In the present situation of affairs in Resp^{t} to the war, his Exc^{y} thinks it for his Maj^{ties} immediate service not to enter further into the Dispute with the members called by the Kings writ and qualified as the King com^{ds} touching the Rejecting of votes of several members in the choice of Speaker, wch he esteems invading the Prerogative of the Crown & therefore submits it till his Maj^{tys} pleasure shall be known thereon. His Exc^{y} therefore that no farther delay in the publick affairs may happen, approves of the choice of Nathl Rogers Esq. for their Speaker & commands the attendance of the House of Representatives in the Council Chamber.

The House Imediately attended & his Exc^{y} the Govr Read the following Speech to the As^{m}.

Mr. Speaker asked for a copy & his Ex^{y} soon after sent down Mr. Wibird with the original with some other Papers to be copied & Returned back again.

Gentlemen of the Council & Assembly

Since my arrival in my Government I have without suffering my private affairs to give the least Interruption, zealously applyed myself to the service of my King and country & the gen^{l} tranquillity of the Province I have made

the measure of my administration under the Influence of such principles, I shall be glad to meet the Gen[l] Assembly, & when the Legislative powers act in conjunction for the true Interest of the Publick without seperated aims, a manifest obedience to the Royal Commands which is inseperable from the Interest of the People, must be the measure of their conduct.

Gentlemen of the Assembly

By their Excellencys the Lords Justices commands signified to me by their Sec[y] of State of 15th Aug[t] 1743, & repeated more fully by their Excell[ys] of Sept 3[d] following, which I shall direct the Sec[y] to lay before you; The early care his Majesty has taken to give timely notice to his subjects to arm for their Defence will be discovered. And it being Immediately your province to Enable me effectually to carry the Royal commands into Execution I shall expect you proceed upon it without the least delay, naked and almost defenceless as we are. The Season advances when we may expect to be attackt both by Land & Sea.

What the late Assembly did in consequence of their Excellencys commands the Records of Assembly will evidence. What remains to be effected, is, That you raise a sufficient fund for the pay and subsistance of a competent number of officers & men at his Majestys Fort Wm & Mary to be trained up in the exercise of the artillery and the art of gunnery & other duties of that garrison: without this Provision our sea coast & commerce will be exposed to the Insults of the Enemy: That a sufficient number of men with subsistance be raised for protecting our Frontiers.

[P. 121.] His Majestys Royal Bounty of Stores I daily expect the arrival of, and that the Kings Fort may be in a condition to secure them from the Enemy I recommend That materials be forthwith agreed for in the most frugal manner, to be delivered at his Majesties Fort William & Mary, for rendering that Fortress compleat, agreeable to a Schedule of his Majesties Ingineer, who by an order of the King in Council is commanded to attend this service, which Schedule shall be laid before you.

As the lesser concerns of government must always give place to the greater, so it is my determined resolution, previous to any other matter, to receive a categorical answer on these important subjects, That I may represent the State of the Province to his Majesty. I shall lay before you the report of a Committee of the Massachusetts Bay respecting carrying on the war, and his Excellency Governor Shirleys letter to me thereon.

Gentlemen, When you have gone through the things I have recommended and Pressed with so much earnestness, and which I esteem so essential to the safety of the Province, I shall order the remaining concerns of this Session to be laid before you in this order.

Gentlemen of the Council & Assembly

The delay of the Royal orders met with in the late Assembly, with respect to their being fully obey'd, has made it necessary for me to make it the main point of this session. The gratitude and obedience I owe to my sovereign command it; the concern I am in for the safety of his Majesties subjects under my Government, the affection I bear to my native country, and the necessity laid on me in order to stand justified before my Royal Master, are, and will be, sufficient Testimonies for my conduct therein. I shall therefore hope that every member of the General Assembly will unite in their sentiments for the publick safety and defence, let their views in other points be ever so different: a contrary behavior under the dreadful calamity of a war, will be offering violence to your country, and must fix a lasting reproach on our happy Constitution.

B. Wentworth.

Council Chamber in
Portsmouth, 29th Jan[y] 1744–5.

Gov. Shirley's Communication.

[Copied from MS. Corr. in Secretary's office, Vol I, p. 187.]

Province of the Massachusetts Bay }

The Committee of both Houses upon the subject of his Excellency's messages of the 19th & 22d instant make the following report, viz.

That they have been attended by two Gentlemen who have lately been prisoners at Louisburg & by others who have been traders there & who are well acquainted with the place, from whom the Committee have received information that the Garrison there does not consist of more than five or six hundred regular Troops & that there are not above three or four hundred fighting men of the Inhabitants, that they have but a small stock of Provisions, that they have no vessels of Force in their Harbour, and that the place is at this time less capable of being defended against an attack than its probable, it will be hereafter.

The Committee therefore are of opinion that it is incumbent upon this Government to embrace this favourable opportunity to attempt the reduction thereof; and they humbly propose that his Excellyy the Capt. General be desired to give forth his Proclamation to encourage the Inlistment of three Thousand Voluntiers under such proper officers as he shall appoint, That each person so enlisting be allowed Twenty-five shillings pr month, & that there be delivered to each man a blanket, that one month's pay be advanced & that they be entitled to all the plunder.

That provision be made for the furnishing of necessary warlike stores for the Expedition, That four months provisions be laid in, That a Committee be appointed to procure & fit vessels to serve as Transports to be ready to depart by the beginning of March, & that a suitable naval force be provided for their convoy, as this Court shall hereafter order. That application be forthwith made to the Government of New York, the Jerseys & Pennsylvania, New Hampshire, Connecticutt & Rhode Island to furnish their respective Quotas of men & vessels to accompany or follow the Forces of this Province.

In the name & by order of the Committee.

Wm. Pepperell.

In Council, Jan. 25, 1744—Read & Sent down.

In the House of Represents, Jan. 25, 1744—Read & Accepted. Sent up for concurrence.

T. Cushing, Speakr.

In Council, Jan. 25, 1744—Read & concurred.

J. Williard, Secy.

Consented to

W. Shirley.

Copy Examind pr. J. Williard, Secy.

[p. 123.] The Speaker with the House being returned to their own Room, his Excys speech & the other papers were read &

Voted That Mr. Speaker Rogers, Thomas Millet Esq. Mr Meshech Weare & Mr. Henry Sherburne jun. be a Comittee to draw up an answer to his Excys speech & present it to the House as soon as may be for yr approbation. Then the Speaker ordered the Clerk to adjourn the House to three of the clock in the afternoon,—which was done.

Met at three o'clock, according to adjournment, & a Petition being preferred by sundy of the Inhabitants of the Town of Newington representing to the House that Geo. Walton, Esq. was not duly Elected to Represent that Town & praying that he

may not be allowed to Represent s^d Town, as pr Petition on file.

Ordered That the Petitioners be heard on their Petitions on Fryday next at ten of the clock in the forenoon & that they forthwith serve the Selectmen of the Town of Newington, the Moderator of the Town meeting that was held in s^d Town on the 21st of January Curr^t for the choice of an assembly man, with a copy of the Petition & this order thereon & cite them to appear before this House at s^d time & shew cause if any they have why the prayer of the Petition should not be granted & also that a summons go from the Clerk of this House at the cost of the Petitioners to cite the Town Clerk of Newington & Richd Downing & Seth Ring of s^d Town, yeomen to appear at s^d time.

House adjourned by order of the Speaker till tomorrow morning, half an hour past nine of the clock in the Forenoon.

Wednesday, Jany 30th 1744. Met according to adjournm^t & present all but Mr. Walton, &

Voted Unanimously that the Rev^d Mr. Fitch & Mr. Shirtleff be desired to attend upon this House every morning alternately & pray with them, & Mr. Frost & Mr. Wear are desired to wait upon the Rev. Mr. Fitch & desire him to come this morning & y^t ye same gen^t be desired to wait on the Rev^d Mr. Shirtliff some time to day & pray him to attend upon the Court at the time to wch it may adjourn tomorrow morning.

R. Wibird, Esq. came down & Informed the House that his Excell^y had adjourned the Council till tomorrow, 10 of the clock, upon acc^t of the Church Fast.

The Com^tee waited upon the Rev^d Mr. Fitch & he came & pray'd in the House.

[P. 124.] Voted, That Thomas Millet, Esq & Mr. Meshech Wear be a Comittee of this House to joyn with such as shall be appointed by the Honble his Maj^s Council to inquire into the grants that have been made of men in ye year past for the defence of the Government, to Receive ye Muster Rolls consequent thereupon & Examine them & make speedy Report unto ye Genl Assembly in order for ye allowance. Sent up for concurrence, Thursday morning by Mr. Millet & Mr. Russell (also ye 2—votes that pass^d y^t morning.) This vote was concurr'd with & John Downing & Sam. Solly added by the Council.

Voted that Coll. Peter Gilman, Esq. Mr. Henry Sherburne, jun. & Wm. Frost Esq. be a Comitee to Receive & Examine the Treasurer's Acc^ts & all other acc^ts relating to ye publick affairs of the Province & make speedy Report of y^r doings unto ye Genl Assembly. Concurred, J. Odiorn, Huske, Atkinson, joined.

Voted, That Coll. Thom^s Wallingford, Wm. Frost Esq. & Mr. Zebulon Gideon be a Comittee from this House to joyn with such as may be appointed by the Honble his Maj^s Council to view his

Maj^{s} Fort Wm & Mary & make Immediate Report to the Genl Court what further Repairs may be necessary to be made in s^{d} Fort, in order to put it in a proper posture of defence & what materials may be wanting therefor. This vote concurred, & E. Huske, S. Solly, J. Downing added.

Adjourn'd to 3 o'clock, P. M.

P. M. Met according to adjournment. Voted That all Muster Rolls be sworn in this House.

Adjourn'd for one Quarter of an hour.

Met according to adj^{t}. Benjamin Matthews came before the House & made oath to two Muster Rolls one for 14 & one for nine men, 12 days each as on file. Adjourn'd till tomorrow 10 o'clock.

Thursday, Jany 31, 1744. Met according to adjournment, & Rev. Mr. Shirtleff came & prayed in the House.

[P. 125.] Voted, Thomas Millet, Esq. Maj^{r} Eben^{r} Stevens Meshech Wear & Capt. Wm Frost be a Com^{te} of this house to joyn with such as may be appointed by the Honble his Maj^{s} Council to make a computation of what number of men it may be necessary to raise, keep in pay for the service of the ensuing year in case of an Indian warr for the Defence of the Province by Sea & Land & make an estimate of the charge thereof & all the other charges of the Province for the year 1745, & make Report to the Genl Assembly with all possible Dispatch Concurred & H. Sherburn, R. Wibird, S. Solly added.

All ye forego^{g} votes sent y^{s} morning by Mr. Millet & Russell.

Voted ye following be sent up as answ^{r} to his Exc^{y} Speech, and it was sent up by Mr. Frost, Mr. Wear & Mr. Walton & Mr Lock.

Answer to the Governor's Speech of January 29, 1744–5.

May it Please your Excellency—

We the Representatives of his Majesty's Province of New Hampshire, in Genl Assembly convened, have considered your Excellency's speech to the Council & Assembly of ye 29th curr^{t} and as we trust we are come together with sincere aims & hearty Desieres & Intention to do all we can for the good of the People we Represent without any separate views or aims — We hope your Excellency meets us under the influence of the same principles & doubt not but we shall yield ready obedience to every Royal Command laid on us that is inseperable from the true Interest of the People.

We assure your Excellency that it is the Resolution of this House to give all the dispatch in their power to the publick affairs without suffering any private business to give the least interruption thereto & to proceed first upon those matters that are of the greatest importance, & Pursuant to such Resolution we have already made choice of Committees of this House to joyn with such as may be appointed by the Honble his Majesty's Council to Inquire into the state of the Treasury & other matters necessary for us to be acquainted with before we can proceed on all the Particulars Recommended to us by your Excellency. We doubt not of the concurrence of your Excellency & the Honble Council in those votes & pray that your Excellency would order all

the Publick accompts to be immediately laid before the House that the Publick business of this critical conjuncture may not be delayed for want thereof.

We shall always be ready thankfully to Receive & gratefully to acknowledge any Favour his Majesty of his Royal Bounty shall be pleased to confer upon us & pray that your Excellency would Inform us what the Stores Expected are that we may the better judge what provision it may be necessary to make for them.

The duty we owe to his Majesty & the concern we have for the wellfare of the People we represent are sufficient Reasons to Excite us to give the utmost Dispatch to the publick affairs of which we Trust our future conduct will be a sufficient Testimony.

[P. 126.] Mr. Wibird brought down ye vote for a Comittee to make a computation of men & ye charge of ye y^re 1742, to know if it was to Relate only to ye Indian warr.

Voted it be reconsidered & that ye words (in case of an Indian warr) be left out of it; Upon wch the vote is writ over again & those words left out & sent up by Mr. March.

Mr. Wibird brought down to ye House a Petition of Henry Sherburne, Com^r of a scout praying an allowance for time & expence in his Maj^tys service more than in his Muster Rolls. The Petition is read, & voted it be dismiss'd not being properly directed.

Voted That Coll. Peter Gillman & Mr. Gideon go to the Honble Council & Inquire whether an act which pass'd the House of Representatives in Feb. 1743 enabling the Judge of Probates to act in several matters wh^r ye Law was not before clear in, had pass'd ye Council, & if not pray ye liberty of withdrawing it.

Voted That Coll Peter Gilman & Mr. Sherburne be a Comittee to enquire into ye State of the Records & make Report to ye House as soon as may.

Adjourned to 3 and a half o'clock, P. M.

Met according to adjournment & present all the members.

Col. Gilman & Mr. Gideon Report to the House that the Honble Council inform'd them that the Probate Act was not pass'd.

The Committee to inquire into the State of the Records making their Report—

Voted, That Eleazer Russell Esq. Mr. Meschech Wear, Moses Levitt, Esq. & Clement March, Esq. be a Comittee to joyn with such as may be appointed by the Honble his Majestys Council to draw up a Bill to be passed into a Law by the Genl Assembly, if approv'd of, whereby the choice of a Recorder for this Province may be invested in such Freeholders of this Province as have each a Real Estate worth fifty Pounds & make Report to the Genl Court as soon as possible that the publick Records may not be kept shut up any longer. Sent up by Mr. Stevens.

About sun set, Mr. Wibird & Mr. Solly came into the House & inform'd them that Mr. Present had sent a carriage for the arms y^t his Exc^y press'd in June last & that unless the Assembly will purchase them his Exc^y thinks he must deliver them.

[P. 127.] The Com^te appointed to go to the late Clerk & De-

mand ye Books, &c. Report that they had been & that he had delivered them some files & books & told ye Com^te y^t there was all & that they deliv^d ye s^d Books & files to ye present Clerk.

Mr. Wibird came to the House & said that his Exc^y had in answ^r to part of ye House's answer to his Exc^ys Speech, sent him to inform the House that ye Stores expected were sixty cannon with carriages & all other Stores to render them serviceable.

Mr. Wibird came down again & brought the following message, viz. That Mr. Prescut waits & his Exc^y desires an answer; that if the House wont buy them he must give an order for them to be delivered to night.

Voted, That Coll. Peter Gilman & Eleaz^r Russell be a Com^te of this House to joyn with such as may be appointed by his Majestys Council Imediately to treat with Mr. Prescut or his agent about purchasing a parcle of small arms wch were press'd as the House are informed for his Maj^ties service at Fort Wm. & Mary in June last, & forthwith make Report to the Genl Assembly. Sent up to ye Council by Mr. Gilman.

Mr. Wibird & Ellis Huske came into ye House & s^d that his Exc^y sent them to inform the House, that if the Com^te would go upon the business about Mr. Prescut's arms directly, his Exc^y would wait & finish ye matter to night, & y^t they were joyn'd to ye Com^te.

The House being of opinion that they ought to know whether their votes were concurr'd with or not before they proceeded to act on them, sent up to inform his Exc^y so, who sent the House word again by Mr. Wibird that it was according to the usual Practice of ye Councill & and that all the votes sent up were concurred with, except the vote about a Recorder, wch lay for further consideration.

The Com^te. appointed to treat with Mr. Prescut about the arms, Report that they had treated with Mr. Mark H. Wentworth, agent of Mr. Prescut, who told them that his orders were to sell the arms for twelve pounds money, & not under. Upon wh^ch the Question was put whether the House would give that price & it past unanimously in ye negative & Coll. Gilman & Mr. Wear were sent to inform his Exc^y of it, & then adj^d till to morrow 10 of the clock.

[p. 128.] Fryday, Feby 1st 1744. Met according to adjournm^t & all ye members present.

Mr. Thompson sent up to the Councill to desire that the Sec^y may be directed to bring the Probate act to the House that was sent in Dec. 1743, who brought for answ^r that the Sec^y was not come, that when he came it should be inquired about.

John Knight &c. Inhabitants of Newington — Comp^t as on file — That Mr. Geo. Walton was not legally chosen to Represent

said Town & pray'd that he may not be allowed to Represent s^{d} Town being Read, & all the parties Required to be cited to appear with y^{r} Evid^{s}, but it appearing that the Moderator had not been served with the copy of ye Petition & order, Ordered that ye Clerk deliver him a copy thereof & that all the Parties be required to attend on this House at three of the clock this afternoon when the House will proceed to Examine into ye matters complained of.

Copy D^{d} to Capt. Jo. Nutter, Moderator.

Whereas Mr. Wibird inform'd the House last night in a message from his Exc^{y} that all the votes sent up except y^{t} about ye Recorder (which lay for further consideration) were concurr'd with, Voted, that a message be sent up to his Exc^{y} pray^{g} him to direct the Sec^{y} to inform ye House who are joyn'd by the Honble Councill to the several Comit^{s} appointed by the House that an Entry may be made thereof in the Journal of ye House & ye com^{tes} proceed on business, & pray that his Exc^{y} for the future when any vote is concurr'd with by the Council & assented to by his Exc^{y} would direct the Sec^{y} immediately to inform the House of it that an Entry may be made in ye Journal of the House which will greatly help them in the Dispatch of the publick business. Sent up by Mr. Wear & Mr. Philbrick.

Richd Wibird Esq. brought down a letter from his Exc^{y} Govr Shirley with some papers Relating to the proceedings of the Gov^{t} of the Mass. Bay on an intended Expedition to Louisburg. Mr. Wear sent up to inform his Exc^{y} that ye House were drawing up a vote on s^{d} Papers & pray his Exc^{y} to wait a little while: & the following vote was soon sent up.

Voted, That Coll. Peter Gilman Esq. Thomas Millet, Esq. Mr. H^{y} Sherburn & Moses Levitt be a Com^{tee} of this House to joyn with such as may be appointed by the Honble Council to consider of the subject matter of his Exc^{y} Govr Shirley's letter & the Report of a Com^{tee} of both Houses of the Province of the Mass^{a} Bay relating to an Expedition to Louisburg or Cape Breton wch papers were this day laid before the House by his Exc^{ys} order, & what may be necessary & incumbent on this Province to do, & make Report to the Genl Court as soon as possible.

[p. 129.] Mr. Wibird came down with the following message, That his Exc^{y} had nothing to object against the vote but thought that a Conference of both Houses might be a quicker way, but if the House did not think so desired the vote might be sent up again. Upon wch it was Voted, That there should be a Conference & Coll. Gilman went to acquaint his Exc^{y} of it.

His Exc^{y} sent down Mr. Wibird to tell the House that the conference should be held tomorrow nine o'clock. Upon wch the House voted, y^{t} a message should be sent up to acquaint his Exc^{y} that they Exp^{d} the Conference would be Imediately, that they thought the matter ought not to be delayed till to morrow, & therefore pray'd liberty to send up the vote, wch was delivered his Exc^{y} by Mr. Sherburne.

Mr. Levitt came down with the vote concurr'd with by the Honble Council, & Theod. Atkinson Esq. Saml Smith Esq. John Downing Esq. & Samuel Solly, Esq. were joyned as a Com^{te} of Council. It was assented to by his Exc^{y} the Govr.

Ellis Huske, Esq. also brought down a copy of the vote to view the Fort &c. concurred by the Council & Ellis Huske, Saml Solly & John Downing Esq^{s} joyn'd as a Com^{te} of Council to wch his Exc^{y} assented.

John Downing Esq. brought a copy of ye vote about Muster Rolls concurred with by the Honble Council & John Downing & Saml Solly, Esq^{s} added to the Com^{te} & assented to by his Exc^{y} the Governor.

John Knight &c Comp^{lt} as pr Petition on file Representing some unfair & illegal proceedings at the Town meeting appointed for the choice of an Assembly man, praying that Geo. Walton may not be allowed to Represent ye s^{d} Town the Petitioners are heard on ye petitions & their Evidences exam^{d}. Capt. John Nutter the moderator & the Select men who are a part of the Petitioners are also heard, & after mature consideration 'tis the opinion of the House that Mr. Walton was not duly elected to Represent the Town of Newington & therefore ordered that he be dismissed the House & that a precept imediately go from the Speaker of this House to the Selectmen of Newington requiring them to call the freeholders to meet together to choose a meet person to Represent s^{d} town in the Genl Assembly now sitting as soon as may be & make return of their doings on or before ye 12th of Feby curr^{t}. (Precept granted to ye Sheriff Feb. 2, 1744.)

[P. 130.] Adjourn'd till tomorrow nine of the clock.

Saturday, Feby ye 2^{d} 1744. Met according to adjournment & the Com^{te} of both Houses on the subject of Govr Shirleys letter & some other papers laid before the House yesterday by his Exc^{y} having made their Report, it was brought into the House by Mr. Downing & Mr. Solly & read as follows:

[Copied (1) from MS. Corr. in Secretary's office, Vol. I, p. 189.]

Province of New Hamp^{r}.

The Committee of both Houses on the subject of his Excellency Governor Shirleys letter and some other papers laid before the Assembly this day by his Excellency:

The Committee are of opinion that it is incumbent upon this Province to do all they can to forward & encourage the intended Expedition for the Reduction of Louisburg or Cape Breton, and humbly propose that (if proper methods may be concluded on for defraying the charge which the Committee are of opinion will be about four thousand ponnds lawfull money) his Excellency the Captain General be desired to give forth his Proclamation to en-

(1) The paper from which this copy is made is the *original* report. A copy is also found in the "Journal of the House."—Ed.

courage the enlisting of two hundred & fifty voluntiers under such proper officers as he shall appoint; that each person so enlisting be allowed Twenty-five shillings pr month & that there be delivered to each man a blanket, that one months pay be advanced and that they be entitled to all the plunder; That provision be made for the furnishing of necessary warlike stores for the Expedition, that four months provision be laid in, that a Comittee be appointed to procure & fit vessells to serve as transports to be ready to depart by the beginning of March.

Feby 1, 1744—

Theodore Atkinson	Peter Gilman
Saml Smith	Thos Millet
John Downing	Hen. Sherburne
Saml Solly.	Moses Leavit.

Voted, That aforesd Report of the Comtee be accepted & sent up for concurrance.

Cape Breton Expedition—Plan of Operations (1).

[Copied from MS. Corr. in Secretary's office, Vol. 1, pp. 191-194.]

Memo. In order for the attacking of Louisbourg this Spring by surprise its propos'd that 3000 Troops should Embark from hence in Sloops & Schooners and proceed for Canso, well armed which should be the place of Rendezvous it being within 20 Leagues of Louisbourg; and its being uncertain that so many vessels should be able to keep Company together when they are arrived at said Port, to take a favourable opportunity to sail from thence in order to be at Gaberous point by Dusk, from whence it is but 3 Leagues from Louisbourg, then to push into the Bay, and as soon as said vessels are at an anchor to man as many whaleboats as they have & send them along the shore as neare as possible, which will make it the more difficult for them to be discovered, & when they come to the cove which faces the low part of the wall, there to land if the Sea will permit & scale that place if possible, & if otherwise as the Wall breaks off a little on the other side of the East gate, not far from that there are picketts put for a considerable distance across a pond over to the Wall on the Beach on the other side of the Pond, and as this Pond is frozen all the month of March its not very difficult to get over them: but if the weather will not permit their landing in the above place, let them proceed along the shore till they come to a long Range of Rocks that goes towards the Island, at the End of which is a Passage where the shallops go through, let them go in there and follow the Ledge of Rocks right back again, then they will land right against the East gate on a point, and as there are some Houses there, it will hinder their being seen, but one Boat ought to go first & surprise the People in those Houses a little time before the others come up, Each whale boat must have two ladders in them of fifteen foot long which may be put in the middle of the Boat without hindrance to the men; but the Boatmen must lay still at this Point till they think the main body is got near the Town, & that a party of as many men as shall be judg'd proper shall be ready to attack the Grand Battery, its necessary it should be low water if no Drift Ice aground along the shore, for the remainder of the men to go round the Picketts that are by the north gate, and when they get round with Ladders of 15 feet long, they can scale the Wall facing the Harbour which is a Quarter of a mile round, and it will be absolutely necessary to appoint a Time to strike the blow all at once, which can be done by agreeing upon a certain hour just before Day, which is the Sleepiest Time, and the Commanding officer of each Detachment to know the time, and when the Time comes by his Watch to begin without further ceremony; The Enemy finding themselves attacked at so many different places at once its probable it will breed such confusion among them that our men will have time to get in unmolested; & it is to be observ'd that as the men march from the above point the low wall is on the

(1) This paper was laid before the House, with the letter from Governor Shirley.—Ed.

left hand of the gate, and the Picketts on the right hand; as all the enemy's troops are in the citadel except a small guard or two it will be a considerable time before the men are drest & got ready to march out, and even then it is quite in the other End of the town.

This is what probably may succeed, but least any accident should happen to prevent it, it will be necessary to provide accordingly & in case our People should be discover'd & Repuls'd the above number of men being sufficient to command the field, it will be necessary in order to reduce the place to have what shipping can possibly be got to cruise off the Harbour's Mouth in order to intercept their Provision vessels which they Expect early being at this time very short of Provisions, as likewise to take any transports with men if any should come, and that our men may not be discourag'd at being repuls'd once, it will be necessary to send 12 nine pounders & two small mortars with shells, &c. and a Quantity of Provisions, so to bombard them & endeavor to make Breaches in their Walls & then storm them: and should the shipping be so lucky to take their Provisions and the land forces take all their cattle & keep them constantly employed, it will be impossible for them to hold the place till the last of July for want of provisions.

In order the better to secure the Retreat in case a superiour naval Force to ours should come from France & drive ours off the Coast, it will be necessary to have two small vessels with about Two hundred men at Canso, & the day after the Fleet is sail'd for Louisbourg for them to sail so as to get in by night, and it being but six Leagues from Canso to St. Peters they can get there before day & surprise that place, which is an exceeding good harbour for small vessels, but has not Water sufficient for vessels of that size which will be able to drive ours off the Coast, so that the vessels for the Retreat will lay there safe, and the Troops be able to go to them by Land; there will be an advantage besides this in surprising this place as there is always a number of Indians with their Families which keep with a French Priest at a small Distance from the French Inhabitants, and the Booty taken there will pay the Expence & more in taking it. It is to be observed that during the time our Troops lay seige to the Town, it will be in their power to send parties and Destroy all their Fishery on the Island as well as the north side of the Harbour which would ruin their Fishery for four or five years; and as it is impossible to fail of taking the Royal Battery at least, that would in a great measure lay open their Harbour exposed unto an attack by Sea from England, as the new Batterys in the Town in the greatest part of the Ambrozers, there are no guns & there are two gates that are made in Diamond fashion facing the Harbour that can be beat down in an instant the peices not being but 2 Inches & an half thick.

N. B. The full complement of the Troops is 700 out of which deductions must be made of 50 for each of the two Batteries, viz. the Royal & Island Batteries, & 50 for Death, sickness &c. which reduce them to 550, and the other fighting men in the Town do not exceed 300, and that the Swiss Troops which are their best Troops are exceeding Discontented & mutinous; also that at St. Peters there may be about 200 men in scatter'd houses, and in the suburbs of the Town of Louisburg without the Walls about 200. it is improbable that more than two 30 or 40 Gun ships should come with Mr. Duvivier who may be expected the first with Recruits & supplies, and in case the naval Force that comes should be superiour to our naval Force, that our 3000 men would command the Field, & continue so till they could be protected & Reinforc'd from England.

Indorsed, "Cape Brittoon
Exped^n—Plan of operation, Feby 1, 1744—"

[p. 131.] Mr. Wibird brought down two printed copies of Proclimation, &c. wch he said were necessary Imediately to be Issued forth & that his Exc^y thought 'twould be best (as many were wanted) to have them sent to Boston to be printed & asked ye opinion of the House.

Mr. Sherburne & Mr. Lock sent up to inform his Exc^{y} that the House are willing to be at the expense of Printing the Proclamations as soon as a proper method is agreed upon for the Defraying the charge.

Mr. Wibird came down & told the House his Exc^{y} desier'd the House would come to some speedy Resolutions, especially about the Proclamation, otherwase his Exc^{y} would proceed in the same method that Govr Shirley had done. The House sent up Mr. Sherburne & Mr. Wear to inform his Exc^{y} that the House were preparing a vote for Emitting a sum of money to defray the charge of the warr & this Expedition to Louisbourg & were willing to be at the charge of Printing any Proclamations his Exc^{y} should think proper to send out on this occasion.

Mr. Wibird brought down a paper & delivered it to the speaker, & told him it was a plan of the operations agst Louisburg & must be kept as a secret—wch paper was read in the House & sent up again by Mr. Wear & Mr. Philbrook.

Coll. Peter Gillman Esq. & Mr. H. Sherburn appointed a Com^{tee} to draw up a vote for Emitting a sum of money to carry on ye Expedition agst Louisbourg, &c. The House adjourn'd for two hours.

Met according to adjournment & adjourned to Monday twelve of the clock.

[p. 132.] Monday February 4th 1744—A copy of the vote appointing Thomas Millet, Esq. to joyn with a Com^{te} of the Council to make an Estimate of men & money for y^{re} 1745, brought into the House, concurred & assented to. H. Sherburne, Esq. Richard Wibird & S. Solly Esqs. joined as a Com^{te} of Council.

Voted, That the following Message be sent up.

The House pray to be informed whether the Council have passed upon the vote about choosing a Recorder, wch they think of great importance,—also pray that an Act which passed the House of Representatives & was sent to the Honble Council in Decr 1743, enabling the Judge of Probates to act in several cases which the Law was not before clear in & which they are informed by a message did not pass the Council, may be sent down. Also the House would inform y^{r} Exc^{y} & the Council that they think it proper that the several Com^{tees} meet this afternoon or as many of them as can while the House have a Com^{te} preparing a money vote wch they hope to have ready in the morning. Sent up by Mr. Stevens.

In answ^{r} to which the Sec^{y} came & s^{d} That his Exc^{y} had no objection to the Com^{tees} going out, y^{t} he should adjourn ye Council. As to the vote about the Recorder, they have not looked over it nor any other business since this affaire came on. That the act about ye Probates is dead: y^{t} ye reason why it did

not pass was because there were several inconsistances in it, that possibly it might be in his office, if it was he would deliver it to them.

Adjourn'd till tomorrow ten o'clock.

Thursday February ye 5, 1744 — Met according to adj^t. Present all but Mr. March & Mr. Israel Gilman.

The Com^tee for drawing up a vote to raise money for ye Expedition ag^st Louisburg, & further carrying on ye warr, &c. bringing in the following vote wch is read several times & after mature consideration & deliberation, unanimously voted & sent up by Maj. Stevens, Mr. Lock, Mr. Frost & Mr. Levitt.

[p. 133.] Whereas there is an Expedition proposed in the neighbouring Government against the French (his Majesties Enemies) at Louisburgh for the Reduction thereof, a plan of which hath been laid before this House by his Excellency, the Governor, and whereas an Indian Warr is daily Expected And this House being willing to do all in their power towards the forwarding & carrying on the said Expedition & putting this Province into the best Posture of Defence they can, against his Majestys Enemies, and whereas there is a necessity of Raising money for the support of his Majestys Government & the circumstances of this Province being such at Present that in order thereto it is necessary there should be a new Emission of Bills of Publick Credit & that the drawing in & sinking the same should be put off to some distant period:

Voted, That there be forthwith Imprinted & Signed by a Committee or Committees to be appointed by the General Assembly for that purpose, the sum of *Ten thousand Pounds* in Bills of Credit on this Province, equal in value to so much in Bills of Credit on this Province of the last emission & in Such Form as shall be agreed upon by the General Assembly for the supplying the Treasury towards the Defraying the charge of the said Expedition for the Reduction of Louisburgh & the further carrying on the warr against his Majesty's Enemies & for the necessary support of this his Majestys Government, and that the said bills be put into the Treasury & there remain for Defraying the charge of Imprinting & Signing the same & for other ends, uses and purposes afores^d, Namely, for the payment of such allowances only as shall be made from time to time by the General Assembly Relating thereto & that the sum of *Four thousand pounds*, part of the said Ten thousand pounds shall be for & towards the carrying on the said Expedition against Louisburgh in such manner as shall be agreed upon by the General Assembly, and that the sum of *four thousand pounds* part of the said ten thousand pounds shall be for & towards the further carrying on the Warr

against his Majesties Enemies in such manner as shall be agreed upon by the General Assembly, & that the sum of *two thousand* pounds, the remaining part of the said sum of ten thousand pounds shall be for the Defraying the charge of Imprinting & Signing said Bills & towards the support of his Majesty's Government in such manner as shall be agreed upon by the General Assembly. And as a Fund & security for Drawing in & Sinking the said Bills, that there be a Tax on the Poles & Estates within this Province in ten Equal Annual payments from & after the year 1755, payable by the 25th day of December in each of the said years, and that the Treasurer of this Province for the time being issue out his Warrants for the drawing in & sinking as afores^d^, [p. 134.] agreeable to the last proportion of the Province Tax, unless a new Proportion or Proportions should be made by the General Assembly, in which case the said sums shall be drawn in agreeable to the proportion next immediately preceding the respective payments. That what of the said sum shall be drawn into the Treasury from time to time shall be burnt to ashes in the face of the General Assembly, and that in case any one or more of the said smaller sums or any part thereof shall not be used or improved for the particular Ends, uses & purposes afores^d^ the same shall lye in the Treasury in order to be burnt & sink so much of the said Respective sums unless the same shall be otherwise ordered & disposed of by the General Assembly, & that the Treasurer for the Time being issue out his Warrants for so much as shall be drawn out of the Treasury by warrants agreeable to this vote & for no more. That each and every Warrant for drawing any of the said money out of the Treasury shall direct the Treasurer to take the same out of such sums as are respectively appropriated for the payment of such publick debts as the Draughts are made to discharge, & that the Treasurer for the time being be directed & ordered to pay such money out of such appropriation as directed, & no other upon pain of refunding all & every such sum or sums as he shall otherwise pay, & to keep exact & distinct accompts of all payments made out of such appropriated sums. That an act be drawn up accordingly & that Coll. Peter Gilman, Esq. & Mr. Henry Sherburne be a Committee of this House to joyn with such as the Board shall appoint to draw up the Same.

Mr. Secretary & Mr. Wibird brought down ye above vote for Imprinting ten thousand pounds &c. for the Exped^n^ &c. & said y^t^ ye Govr could not consent to it for several reasons wch he mentioned. The House sent up Coll. Gilman with the vote praying the Honble Council would give their Reasons why they could not pass upon s^d^ vote, in writing. The Secretary soon brought down ye following answer in writing as on file.

Feby ye 5, 1744—

Prov. of N. Hamp^r. The Council's objections to the House's vote of this day for the emitting the sum of ten thousand pounds, &c.

1. They are of opinion that nothing should be couched in the s^d vote but what should appear that ye s^d money is emitted for carrying the intended Expedition ag^st Louisburg into execution, especially as any overplus may be otherways expended in the war against his Maj^ts enemies.

[P. 137(1).] 2. The Periods for calling in the same should commence on the 25th of December 1751, in which year there is no sum by any Act of Assembly to be brought in, & so in proportion the nine succeeding years.

These objections the Councill conceive make no material alterations with Respect to the Intent of the s^d vote.

The above objections read & voted to be sent down to the House.

Theod^e Atkinson, Sec^y.

After the above was read the House adjourn'd till three of the clock.

At three o'clock, Feby 5th 1744—met according to adjournment & unanimously—Voted, That the following be sent up as an answ^r to the Councils objections, viz.:

The House's Answer to the Councils objections ag^t their vote sent up this day, for Emitting ten thousand pounds for supplying the Treasury to defray the charge of an Expedition ag^st Louisburg & further carrying on ye war & support of his Maj^ties Government.

1st. The House are of opinion that there is great necessity of raising money for the farther carrying on the war & defence & support of his Maj^ties Government. As for carrying the warr into the Enemies Country both wch they intend by their vote, & think it would be dishonorable in them to pass any vote or bill but what in the face of the same plainly set forth what they intended & therefore cannot consent to an Emission of paper bills unless the very use they intend it for be expressed in ye vote or bill.

2dly. Inasmuch as the House are of opinion that it will be necessary for the defraying the growing charge of the Governm^t between this & the year 1751, to lay considerable taxes on the years between that & the year 1756 they [P. 138.] think that if the Periods for calling in the said sum of ten thousand pounds shall commence in the year 1751, it would be loading the people they Represent (in those years) with an insupportable burthen, & therefore as the Honble Council conceive their objections make no material alteration "with respect to the intent of said vote," the House unanimously think it their duty to adhere to y^r s^d vote & hope for a ready concurrence therewith. Sent up by Mr. Frost & Mr. Lock.

Voted That a message go up to his Exc^y praying him to direct the Treasurer to lay his acct^s before the House; also to pray his Exc^y to direct the several officers to lay their Muster Rolls before the House, & the Speaker sent up Mr. Wear to deliver s^d message.

Jotham Odiorn, Esq. came down with a copy of the vote for a Comittee to examine acc^ts concurred & Jotham Odiorn, Theod. Atkinson & Ellis Huske, Esqs. joyned as a Com^tee of the Councill.

Mr. Wibird came & informed the House his Exc^y had directed the Muster Rolls to be laid before the House.

(1) 135 and 136 are blank pages.—Ed.

Mr. Wear sent up to pray his Exc^y to direct y^t ye Treasurer lay his acc^ts before ye House before the Com^tee go out on them.

His Exc^y sent down ye following written Message by Coll. Downing & Mr. Solly:

Gentlemen of the Assembly,

In consequence of your message of the 2^d Inst. I express'd a messenger to Boston in order to get the Proclamations necessary to be Dispersed throughout the Province for encouraging the Expedition to Louisburgh printed, which I have this moment received, & as soon as the sheriff attends on me shall order them to be dispersed.

Therefore that no delay may be occasioned on my acc^t I think it necessary to lay before the Honble House that I am ready to give my assent to any bill for defraying the charge that may arise on ye Equipment of 250 men for the Expedition to Louisburgh, in conformity to the Report of a Committee of both Houses Feby 1st 1744—& concurred by both Houses Feby 2^d 1744—& assented to the same day & hour.

[P. 139.] You will be pleased to observe that I have no Instruction to support me in assenting to a Bill for Emitting any more money than what is now Extant. I must necessarily Incurr his Majesty's highest Displeasure if the support of the Government or any other affair should be included or even presumed in said Bill & therefore I hope you will think it for his Majesty's immediate service & the Honour of the Government to pass a Bill in support of the Resolve of both Houses for the service of the Expedition only, which I am ready to assent to.

B. Wentworth.

Council Chamber, In Portsm^o Feby 5th 1744.

[The following is the "Instruction" under which the Governor acted.—Ed.]

[Copied from MS. Corr. in Secretary's office, Vol. I, p. 239.]

"Whereas Acts have been Passed in some of his Majestys Plantations in America for striking Bills of Credit and Issueing out the same in liew of money in order to discharge their Publick Debts & for other Purposes, from whence several Inconveniences have arisen, it is therefore his Maj^tys Will & Pleasure that you do not give your assent to or Pass any act in the Province of New Hampshire under your Government whereby Bills of Credit may be struck or Issued in live money without a clause be Included in such Act declaring that the same shall not take effect untill the s^d act shall be approved & confirmed by his Majesty, his heirs or successors, except only for the annual support & service of the Government not Exceeding six thousand pounds in such paper Bills, & this Permission to continue only until his Majestys further Pleasure shall be known thereupon, and you are to take Especial care that no more than £6000 of such Bills be ever current at one & the same time."

A copy of his Maj^tys "19th Instruction" to his Excellency, Govr Wentworth. Compared pr.

Theodore Atkinson, Sec^y.

Which was read & then ye House was adjourn'd till to morrow morning 10 o'clock, having appointed Coll. Gilman & Mr. Sherburne to prepare an answer.

Wednesday Feby ye 6th 1744—Met according to adjm^{t} the Comittee appointed to answ^{r} his Exc^{ys} message make their Report, which is read as follows & signed by the Speaker, &c. &

Voted That it be sent up as an answ^{r} to his Excellencys message of last evening, by Mr. Gideons & Mr. Lock.

May it please your Excellency,

The House sent two Messages to your Excellency ye 2^{d} Curr^{t} in answer to your Excellencys message about ye Proclamations. The first was in these words: "The House are willing to be at the expence of printing the Proclamations as soon as proper method is agreed upon for defraying the charge." The second in these words: "The House are preparing a vote for the Emitting of a sum of money to Defray the charge of the war & the Expedition to Louisburgh & are willing to be at the charge of printing any Proclamations your Excell^{y} shall think proper on this occasion."

May it please your Excellency,

Tho' the House did not expect that an Express would be sent on purpose to get the Proclamations printed, understanding by your Excellencys message that there was an Express going on some other occasion, yet they are willing to be at the charge of printing them; but ye sending them out before such a vote as afores^{d} is passed the Council & assented to by your Excellency, or any proper way agreed on to defray the charge &c. we apprehend will be going too fast & not in consequence of the House's message of ye 2^{d} inst. By the tenor of your Excellencys message & the proceedings of your Excellency & the Honble Council on the vote of the House for the supply of the Treasury to defray the charge of an Expedition against Louisburgh & further carrying on the warr, &c. we perceive that notwithstanding the earnestness with [p. 140.] which your Excellency in your speech at the opening of this session Inforced their Excellencys the Lords Justices commands requiring your Excellency to put the Province in the best posture of defence, &c. in their Letters laid before the House, requiring the House immediately & without any delay to enable you to carry the Royal commands into Execution, & tho' your Excellency is pleased in your Speech to use these words: "I shall expect you proceed upon it without the least delay, naked and almost defenceless as we are, the season of the year advances when we may expect to be attacked by Sea & Land"—That for all your Excellency & the Honble Council incline to do at present on this matter of putting the Province in the best Posture of Defence, we may still remain in the same naked and defenceless state. Does your Excellency think it would be for the honour of his Majesty and the safety of his People in this Province to leave the Province in such a naked and defenceles state as your Excellency is pleased to Represent it in & at a season when your Excellency justly observes we may expect to be attacked by sea & land, to send 250 of our best men (when we can barely spare them) on an Expedition abroad and make no manner of provision for the defence of his Majesty's Government at home? The House are surprised hereat & think this would be a high breach of the Trust reposed in them & a great Dishonor to his Majesty, to leave his Province in so naked & defenceless a State; & really think it a sure way to gain his Majesty's displeasure; & therefore inasmuch as your Excellency expresses your readiness to assent to any Bill for emitting money for defraying the charge of an Expedition against Louisburgh without an Instruction to support your Excellency, we hope & trust that on further consideration your Excellency will think it of as much importance to make ample provision for the protection of his Majesty's Province in its naked & defenceless state: Especially as y^{r} Exc^{ys} the Lords Justices so strongly require it. In obedience to the Royal commands by your Excellency transmitted to this House, we have proceeded without the least Delay in this important matter & hitherto made it the main business of this Session as your Excellency required us; & considering the concern your Excellency expresses in your Speech for the Safety of his Majesty's subjects

under your Government, your Excellency's affection for your native country & the lasting Reproach which the neglect of protecting & defending his Majesty's Province under the dreadfull calamity of a warr at a time when an Expedition is carrying on abroad, would bring upon our happy Constitution; we hope that your Excellency will think it for his Majesty's immediate service and the honour of this Government to assent to the vote of this House sent up yesterday to supply the Treasury for the service of the Expedition & further carrying on the warr, &c. which is in support of the Report of the Committee of both Houses & the Resolve of the General Assembly thereon.

The Council sent down the old Vote for Emitting ten thousand pounds with the following amendment, viz.

That nothing be express'd in the s^d^ vote but what relates to the intended Expedition ag^st^ Louisburg & for annoying & distressing his Majesties Enemies, and for defending & safe-guarding his Majesty's subjects of this Province, &

2^d^ That the Periods for bringing the money emitted into the Treasury again, commence ye 25th day Decr 1751.

Theo. Atkinson, Sec^y^.

And immediately after his Exc^y^ sent a written message, as on file.

Message of his Excellency 6 *Feb.* 1744–5.

[Copied from MS. "Gov^rs^ Messages," in Secretary's office, Vol. I, p. 329.]

Province of New Hamp^r^

Gentlemen of the Assembly

That the present Expedition to Louisburg in conjunction with his Majesty's other Governments may meet with all possible encouragement from me, I now give the Honble House my full assurance that I am ready to give my assent to any bill you may project in favour of this Expedition, that shall carry on the face of s^d^ Bill, that it is intended & appropriated to the service of the Expedition, for annoying & distressing her Majesty's Enemies & for the protection & safeguard of the Frontiers; & that the periods for calling in the Same shall commence in the year 1751, which is the furthest I can put it off, unless any of the other Governments should on this occasion put his Majesty's Subjects on a more favourable footing, & in that case I promise to assent to any Bill that may be projected by the House hereafter to farther postpone the periods that now may be agreed upon, that his Majesty's subjects of this Province may be put on as advantageous circumstances in respect to their Emissions & upon an equal footing with the subjects of his Majesty's other Governments, Which is all you can expect or desire from me.

You will likewise observe that it will be necessary in case the provision you now make falls short, to carry on the Expedition, that you will hereafter make farther grants to make good any deficiency, and that if there should be any Excess it shall remain in the Treasury 'till disposed of by the General Assembly.

B. Wentworth.

Council Chamber,
in Portsm^o^ Feb. 6, 1744–5.

[The Message] read & Coll. Gilman & Mr. Sherburne desired to draw up another vote & present it to the House in the afternoon, & the House adjourn'd till three of the clock.

P. M. Feb 6th. Met according to adjournment. Coll Gilman & Mr. Sherburne bring in the following vote which is read & voted to be sent up.

[P. 141.] Prov. of N. Hampr.

In the House of Representatives, Feb. 6, 1744–5.

Whereas there is an Expedition proposed in the neighboring Government agst the French (his Majts enemies) at Louisburg for the Reduction thereof, a Plan of which hath been laid before this House by his Excellency the Governor, & whereas an Indian war is daily expected, & this House being willing to do all in their power towards the forwarding & carrying on said Expedition & putting this Province into the best posture of defence they can against his Majts Enemies; and the circumstances of this Province being such at present that in order thereto it is necessary there should be a new Emission of Bills of publick Credit, & that the drawing in & sinking the same should be put off to some distant Period:

Voted—That there be forthwith Impressed & signed by a Comtee or Comtees to be appointed by the Genl Assembly for that purpose, the sum of ten thousand pounds in Bills of Credit on this Province equal in value to so much in Bills of Credit on this Province of the last Emission, & in such form as shall be agreed upon by the General Assembly for the supplying the Treasury towards (for) the defraying the charge of the said Expedition for the Reduction of Louisburgh & the further carrying on the warr against his Majtys Enemies & for defending & safeguarding his Majtys subjects of this Province & for defraying the charge of Imprinting & signing the same, and that the said Bills be put into the Treasury & there remain for the ends, uses & purposes aforesd & that it be appropriated in the manner following: viz.

That the sum of fifteen hundred pounds, part of the said sum of ten thousand pounds, be for the payment of two hundred & fifty voluntiers, officers & soldiers, for four months to be raised & sent on an Expedition for the Reduction of Louisburg & one months pay to be advanced to each man, and the rest paid when the muster Roles are allowed and approved of by the General Assembly.

[P. 142.] That two thousand pounds more of the said sum of ten thousand pounds be for the purchasing provisions, Blankets, & other necessary stores for the aforesd Expedition, as shall be ordered by the General Assembly.

That five hundred pounds more of the said Sum of ten thousand pounds be for procuring & fitting vessels for transports, & payment of Comtees that shall be appointed by the Genl Assembly to procure vessels, Provisions stores & other necessarys for the use of & towards sd Expedition.

That five hundred pounds more of said sum of ten thousand pounds be for the payment of the officers of Fort Wm & Mary &

such a number of soldiers as shall be allowed to be kept there by the General Assembly, when the Muster Roles are allowed by the Gen[l] Assembly.

That two thousand pounds more of part of the said sum of ten thousand pounds be for the payment of such a number of officers & soldiers as shall be allowed by the Gen[l] Assembly to be kept in pay for his Maj[tys] service for defending & safeguarding His Maj[tys] subjects of this Province when the Muster Roles shall be made up & allowed by the Gen[l] Assembly.

That two thousand five hundred pounds more of part of s[d] sum of ten thousand pounds be for purchasing provisions and other necessary stores for the officers & soldiers last mentioned & victualling the soldiers that may be allowed for Fort William & Mary.

That two hundred & fifty pounds more of said sum of ten thousand pounds be for a bounty on scalps as shall be allowed by the General Assembly in case of an Indian War to encourage voluntiers to annoy & distress his Maj[tys] Enemies.

That two hundred & fifty pounds more, part of the said sum of ten thousand pounds be for defraying the charge of Imprinting signing said Emission of Bills.

That the sum of five hundred pounds more, the Remainin part of said sum of ten thousand pounds, be for the payment such incident charges of the war as may be allowed by the Ge eral Assembly, &

[p. 143.] As a Fund & security for drawing in & sinking th said Bills, that there be a Tax on the Poles & Estates within thi Province in ten equal annual payments from & after the yea 1755, payable by the 25th of December in Each of y[e] s[d] years & that the Treasurer of this Province for the time then being Issue out his Warrants for the drawing in & sinking the same as afores[d] agreeable to the last proportions of the Province Tax unless a new Proportion or proportions should be made by the General Assembly, in which case the said sum shall be drawn in agreeable to the Proportions next imediately preceding the Respective payments; That what of the said sums shall be drawn in to the Treasury from time to time shall be burnt to ashes in the face of the General Assembly & that in case any one or more of the said smaller sums or any part thereof shall not be used or Improved to the particular ends, uses & purposes afores[d], the same shall lye in the Treasury in order to be burnt & sink so much of the s[d] Respective sums, unless the same shall be otherwise ordered & disposed of by the General Assembly & that the Treasurer for the time then being issue out his warrants for so much as shall be drawn out of the Treasury by warrants agreeable to this vote & no more; That each & every warrant for drawing any of the s[d] money out of the Treasury shall be sign'd by his Exc[y] the Governor & shall be by & with the advice of the Council & shall direct the Treasurer to take the same out of such sums as are respectively appropriated for the payment of such publick Debts as the draughts are

made to discharge & that the Treasurer for the time then being be directed & ordered to pay such money out of such appropriations as directed to & no other, upon pain of Refunding all & every such sum or sums as he shall otherwise pay & to keep exact & distinct accounts of all payments made out of such appropriated sums & that there be a general liberty given in the act for payment of s^d^ sum of ten thousand pounds in such sort of species & in such way & manner as is set forth in act entitled an act for granting unto his most Excellent Majesty the sum of £4720 bills of Credit equal to proclamation money for supply of the Treasury, which act was passed April ye 3^d^ 1742 & that a Com^tee^ [p. 144.] be appointed by the General Assembly to procure & fit the vessels for Transports & purchase all the Provision & other necessary Stores mentioned in this vote. That an Act be drawn up accordingly & that Coll. Peter Gilman & Mr. H. Sherburn be a Com^tee^ of this House to joyn with such as the Board shall appoint to draw up the same.

Sent up by Mr. Levitt & Mr. Js. Gilman, and then the House iourn'd till to morrow, 10 o'clock.

[p. 145.] Thursday February ye 7th 1744—Met according to ljournment.

A Bill for a special act to Enable the Judge of Probates to nish the settlement of the Estates of S^l^ & Jo. Penhallow, Esqs. ead ye third time.

The vote for Emitting ten thousand pounds is brought down by Mr. Secretary & Mr. Wibird with a verbal message that the Council have no exception against the vote but the length of time for bringing it in, & after saying a good deal upon that subject desired the House would reconsider it. The House after consideration sent up Mr. Sherburne & Mr. Frost with the following Message:—That the House think that the 2^d^ article in y^r^ answer to the Councils message of the 5th Inst. is a full answer to the Message sent down by Mr. Sec^y^ & Mr. Wibird & therefore unanimously adhere to their vote.

The Sec^y^ came down & told the House that his Exc^y^ had adjourn'd the General Assembly to Monday next ten of the clock.

Monday February ye 11th 1744—Met according to adjournment. Voted That the following Message be sent up to the Honble Council.

As it was of such great importance to his Maj^ty^ this House were in hopes that the Honble Council would have directly proceeded upon their vote of ye 6th curr^t^ for defraying the charge of the Expedition ag^st^ Louisburg & further carrying on the war, &c. in some shape or other. Especially as the time we

had to get ready was so short, & the House would willingly have sat night & day for the dispatch of it, & are heartily concern'd that the long adjournm^{t} of the General Assembly at this critical conjuncture has hindered the progress of these Expeditions in this Province; Wherefore the House pray that the Honble Councill will immediately pass upon s^{d} vote that the matter may not be any longer delayed, for the House are and always have been resolved to do all they can to forward the s^{d} Expedition.

[P. 146.] Sent up by Mr. Gilman.

Voted That the following message be sent up to his Exc^{y} the Governor.

May it Please your Excellency,

On ye 6th Inst^{t} your Excellency was pleased to signifie to this House in a written Message that you were ready to give your assent to any Bill the House might project in favour of the Expedition to Louisburg under certain limitations, as in the s^{d} message. The same day the House prepared & sent up a vote to the Honble Council for the supplying the Treasury to defray the charge of the Expedition against Louisburgh & further carrying on the Warr against his Majest^{s} Enemies. But notwithstanding your Excellency^{s} assurance of your readiness &c. on ye 7th instant in the forenoon before the Honble Council had pass'd upon said vote (that we know of) your Excellency was pleased to adjourn the General Assembly to Monday ten of the clock, to the great grief of the House who have so much at heart the forwarding that noble projection of his Excellency Governor Shirley, communicated to this House by his letter to your Excellency for the Reduction of Louisburgh.

We assure your Excellency that it was & is the full Resolution of this House to do all in our Power to forward so noble an undertaking & we are Really & heartily concerned that your Excellency's so adjourning the Assembly from ye 7th in the forenoon to ye 11th curr^{t} has so much Retarded & we fear discouraged the progress of the Expedition in this Province Especially when the whole time we had to prepare & get ready in was so short.

If the General Assembly had been kept sitting we think the affair might have been in a good forwardness by this time & we assure your Excellency that we should have chosen to have set night & day till this matter had been compleated, Rather than to have lost one minutes time. And we should have been glad if in this case (as your Excellency observes in your Speech) the lesser affairs of Government had given way to this important matter, & therefore pray that your Excellency will be pleased to keep the General Assembly sitting till this matter is over, for we are Resolved to do all we can to forward it & to give it all the dispatch in our power.

[P. 147.] Voted That the Journals of this House be printed & that Mr. H^{y} Sherburne be & hereby is impowered to get them printed.

John Downing Esq. & Mr. Solly, about 5 o'clock in the afternoon brought down the following Message from the Council as on file.

Province of N. Hamp^{r}.

In Council Feby 11th 1744—

Voted That the following answer to the Honble Houses' message of this day in relation to the vote of the House of ye 6th inst be sent down.

His Majesty's Council always esteem'd the Expedition to Louisburgh of the greatest Importance & have always forwarded the affair on their part. And as to the House vote of ye 6th curr^{t} it came up late at night & the House soon adjourn'd. On ye 7th the Council sent early in ye forenoon a message to acquaint them in particular that the periods for calling in the money proposed

in said vote to be Emitted were at too great a distance & therefore recommended it to their consideration in that particular for the House's alteration, to which the House sent a message by Messrs Sherburne & Frost that the House unanimously adhered to their vote, as sent up, so that the Council look't upon it that the affair was entirely over & his Excellency adjourn'd the General Assembly till 10 o'clock this day & that the Council waited all the forenoon but there not being a house met is the occasion why they did not hear of their said vote till now, but we now acquaint the House that their said vote of ye 6th Inst is non-curr'd unanimously for the Reason given to the House by a message of ye 7th inst.

Theodore Atkinson, Sec^y.

The House Imediately voted & sent up the following message in answer, by Mr. Stevens & Mr. Lock:

Tho' the Honble Council have not given any answer to the House's answer to there objection to the House's vote of the 6th inst & notwithstanding it will be a great burthen to the people, yet the House being willing to forward ye Expedition ag^st Louisburg &c. do agree that the Periods for paying in s^d sum do commence in the year 1751, & pray to have ye vote sent down to make the amendment on it.

His Exc^y sent down a written message by Mr. Huske & Mr. Solly which was read & filed as follows: [This Message not found.]

Mr. Sec^y brought down a Petition of sundry Persons praying that provision may be made for 500 men for ye Expedition ag^st Louisburg &c. wch was read & ordered y^t it lay for consideration.

Petition, &c.

[Copied from MS. Corr. in Secretary's office, Vol. I, p. 197.]

To his Excellency Benning Wentworth, Esq. Captain General & Commander in Chief in & over his Majesty's Province of New Hampshire, the Honble his Majesty's Council & House of Representatives in General Assembly convened, Feby 11th 1744-5.

The MEMORIAL of sundry of the Inhabitants of said Province shews, That your Memorialists have been informed that the consideration of joining with the neighbouring Governments in the design'd Expedition against Louisburgh has for some time past Ingaged your attention, but that no Resolution Relating thereto has yet been fully agreed upon, and while ths matter is suspended, your memori^sts beg leave to offer their tho'ts thereon, as it is an affair of Public concern.

That your Memorialists conceive the welfare if not the very being of the Province depends greatly upon the Reduction of that place, as if it continues under the French it will in all probability Enable them in a little time to Reduce Port Royal, & if that should be the case 'tis easy to foresee what the fatal consequences must be to all the English settlements upon the sea Coast as well as to the Inland Towns by the Privateers infesting the One, & the Indians Destroying the other: And on the other hand, if Louisburgh was in the possession of the English, they would thereby have almost all the fish trade in their own hands, which would give life and vigour to all branches of Trade they are concerned in & Revive all sorts of Business, with many other advantages too numerous to be particularized here, and farther it is very probable that if we neglect to fight our Enemies at that distance & in their own Territories, we shall be oblig'd to do it nearer home, if not in our own Towns.

That your Memorialists conceive it a just motive to quicken the People in this Government to see how forward zealous & active the neighbouring Governments are in this affair, even those much more remote than this, at least in less danger, & that have less to fear should it not be done,— of which no doubt this Honble Court are acquainted, Tho' perhaps may not have been Inform'd that the Government of Rhode Island have determined to contribute to the Expedition the number of five hundred men & two Twenty four Gun ships, and the owners of the Privateers have promised the assistance of their vessels: The Inhabitants of the Colony of Connecticut have also by subscription Raised a sum of money for the pay & subsistance of five hundred men (their Genl Court not sitting) who all are ready to Embark, and to speak generally to avoid prolixity, every Government to which the affair has been proposed, seem to have gone beyond their power, as it were, to effect this design. To which your Memorialists would beg leave humbly to add that if *this* should fail of joining or only contribute what might justly be considered as a poor Pittance to an Enterprise in which (if attended with success) they will be more Benefitted & served in proportion, than any other, there need not much be said to set in a clear light, what a figure they must make in the Eyes of all who shall hereafter be acquainted with the fact. Wherefore y^r Memorialists beg leave humbly to pray that Provision may be made for the paying & subsisting five hundred men, if so many belonging to this Government will Enlist as Volunteers for this Expedition, and that they may have the same Encouragement that the Volunteers in the other Governments have & your Memorialists as in duty bound shall pray, &c.

[Signed]

Thos Packer,	Nathl Peirce,	Jno Tufton Mason,
Geo. Mitchell,	John Newmarch,	Nathaniel Meserve,
John Wentworth,	John Ayers,	Josh^a Pierce.

Prov. New Hamp^r.

In Council, Feby 11th 1744—

Read & recommended

Theodore Atkinson, Sec^y.

[p. 148.] The Sec^y came into the House & said that in answ^r to the House's message wherein they desired the Honble Council would send ye House vote of ye 6th Inst. &c. the s^d vote ought properly to lye in his office, that it was writ upon. If the House wanted it he would send it &c.

Upon which the House Imediately prepared another vote— wch is as follows on file:

The Honble Council being adjourn'd the House could not send up s^d vote this evening; & having nothing before them, the House adjourn'd till ten o'clock to morrow morning.

Tuesday, February ye 12th 1744— Met according to adjournment, and as soon as his Exc^y came to the Council, the House sent up the afores^d vote by Maj^r Stevens & Coll. Wallingford.

The House understanding that Brig. Gen. Pepperill was in Town,

Voted, That Coll. Gillman, Coll. Wallingford & Mr. Gideons be desired to wait upon Brigadier Gen^ll Pepperill & pray him to come to the House & give them all the intelligence he can about their

method of proceeding in the Province of the Mass. Bay in forwarding the Expedition agst Louisburg, & the forwardness it is at present in; who soon Return'd & s^{d} that Genl Pepperill would wait upon ye House.

Whereas the House are informed that one Joseph Moulton, jun of . . . . . lately travelling from this place towards Boston did give out & declare that he was going to carry advice that the Assem^{y} of ye Prov: would not raise any men for the Expedition agst Louisburg, or words to that effect, &c.

Voted That the s^{d} Joseph Moulton, jun. be sent for & brought before this House to be exam^{d} & inquired of how he came to utter such words or any words to that purpose, &c.

[P. 149.] The sheriff making Return of the precept Issued by the speaker of this House on ye 2^{d} of Feby Requiring him Issue out a precept to ye select men of Newington requiring them to call the freeholders togeather & choose a meet person to Represent s^{d} Town or Parish in the Genl Assemb. of this Prov: & that the Selectmen of s^{d} Newington had made return to him, y^{t} the Town had chose John Fabyan. The House sent up to inform his Exc^{y} that in a petition preferred by sundry of the freeholders of s^{d} Newington, Representing in s^{d} petition & declaring the proceedings of the House in that matter, & praying his Exc^{y} to order him ye s^{d} Fabyan to be qualified.

Mr. Secretary, Coll. Downing & Mr. Wibird came into the House & declaring they were sent to qualify John Fabyan, Esq. adminis^{d} the oath to him, & he took his place in ye House being directed thereto by the speaker.

Brigadier General Pepperell came to the House & Mr. Speaker declaring to him why he was desired to come, he made a Representation of the affairs to House:

That the Mass^{a} had voted 3000 men besides officers & sailors.
5 20 Gun ships & other vessels, besides ye Gally.
2 mortars
1500 Bombs
8 or 10,000 Granadoe shells
500 snow shoes
£50,000 new Tenor & that they suppose the Exped^{n} would cost £120,000 new Ten^{r}.

His Exc^{y} sent down a written message (on file), at one of the clock, informing the House that their vote for £10,000 lay before him for his assent to it, &c.

[Copied from MS. "Governor's Messages," in Secretary's office, Vol. I, p. 335.]

Gentlemen of the Assembly,

Your vote of 11th Instant for the Emitting £10000 for the Expedition to Louisburg and other purposes therein mentioned now lays before me for my consent.

My inclination to exert myself to give life to the Expedition would lead me to get over small difficulties, but the violence I must offer to his Majestys Instructions, as the bill now stands, the uncertainty whether the 250 men re-

ported by the Com^tee of both Houses will take Effect, unless the number is increased to a small Regiment & under Field officers of our own, with the distant periods, make the difficulties so great, that I must desire you will increase the number of men to a small Regiment, and shorten the periods, or give in your reasons for not doing it: Also, that if you can find no other way to defray the expence of the Expedition or for the defence of the Province.

Council Chamber, B. W.
in Portsm^o Feb. 11, 1744.

Voted, That Coll. Gilman & Mr. Sherburne be Com^te to draw up an answ^r to ye s^d message, & the house adjourn'd for an hour & an half.

Tuesday Afternoon. The House met according to adjournment & the Com^te bring in the following answer to his Exc^ys message this morning wch was voted & sent up by Mr. Wear & Mr. Philbrick.

[P. 150.] *May it please your Excellency*

We are glad to find by your Excellency's message this day that our vote of £10000 to defray the charge of the Expedition against Louisburg & further carrying on ye war against his Majesties Enemies lays before your Excellency for your Excellency's consent thereto.

Your Excellency was pleased to inform this House in your Excellencys written message of ye 5th curr^t that "you are ready to give your assent to any Bill for defraying the charge that may arise on ye Equipment of 250 men for ye Expedition to Louisburgh in conformity to ye Report of a Committee of both Houses Feby 1st 1744" & in your Excellency's message of ye 6th curr^t you are pleased to use these words: "I now give the Honble House my full assurance that I am ready to give my assent to any bill you may project in favor of ye Expedition that shall carry on ye face of s^d bill that it is intended & appropriated to ye service of ye Expedition for annoying & distressing his Majesties Enemies, for the protection & safeguard of the Frontiers & that the periods for calling in the same shall commence in ye year 1751." Wherefore the House that no delay should be chargeable to them, in complyance with your Excellency's proposals formed exactly such a vote as your Excellency was pleased in said message to give them your full assurance you would assent to, which is the vote now before your Excellency, and we doubt not but your Excellency will readily assent to it that the whole affair may not on that acc^t be Delayed. As to what your Excellency is pleased to say about a further number of men, if that had been proposed when your Excellency only mentioned ye 250 in your message of ye 5th Inst. provision might have been made for them in the vote now before your Excellency, but as so much time has been spent in getting this vote so forward, & inasmuch as when your Excellency has assented thereto the Proclamations may go out if your Excellency thinks proper, and the affair be going on,—we pray your Excellency will immediately assent to it & then (as the House before they had Rec^d your Excellency's message had agreed on a further provision of men to make a Regiment, as soon as the vote before your Excellency was assented to) a vote may be prepared therefor.

The present distressed circumstances of his Majesties Subjects in this Province by reason of the warr, the heavy Taxes already laid, & which may further be Expected to be laid to defray the other charges of the Government, in ye succeeding years, are such that we cannot find out any other way to carry on this Expedition, which our hearts are so much engaged in, or in any degree shorten the periods for bringing in ye money. We therefore again earnestly pray that your Excellency will give your assent to this vote before you, & then we shall with cheerfulness proceed to make such further grants of men & money as shall tend to forward this Expedition, the Honour of his Majesty & the welfare of his Loyal subjects of this Province.

[p. 151.] Mr. Wibird & Mr. Solly came into the House & informed them that his Exc^{y} could not consent to the vote till the House Informed how they designed to make a further provision. The House sent up the following message in answ^{r} by Mr. Gilman & Sherburne—The House propose to make up the whole number of voluntiers between 400 & 500, sailors included, & for defraying ye charge to Emit a further sum of money to be brought in Imediately after y^{e} £10000 & in ye same manner.

Voted, That a message be sent to his Exc^{y} to inquire whether his Exc^{y} has assented to their vote for £10000. Mr. Lock & Mr. Wear went up with it. Upon which his Exc^{y} sent down a written message by Col. Downing & Coll. Smith, as on file in answer to wch the House came into a Resolution to send a Com^{tee} to his Exc^{y} & tell him that if he consent to puting off the payment of ye money to be Emitted to pay the charge till after 1760, the House will vote 200 voluntiers more, but if his Exc^{y} wont put off the Periods till after 1760 the House Resolve to vote no more than 100 more, & Coll. Gilman, Maj^{r} Stevens & Mr. March are desired to go with s^{d} message. The House adjourn'd till to morrow 10 of the clock.

Message of his Excellency above referred to.

[Copied from MS. "Governor's Messages," in Secretary's office, Vol. I, p. 339.]

Gentlemen of the Assembly,

By your message of this day, I find the disposition of the House is to augment the forces to Louisburg to four or five hundred men, sailors included, which is very pleasing to me; and if the House will send up a Resolve on that subject & in what manner they propose to pay the Expence, it will facilitate the other bill that now lays before me, which at present appears very difficult;—but by no means put off the augmentation or the charge to a further day.

Council Chamber in
Portsm^{o} Feby 12, 1744— B. Wentworth.

Wednesday February the 13: 1744—

Met according to adjournment, & the Com^{tee} appointed to wait on his Exc^{y} make Report to the House that his Exc^{y} will not consent to put off the periods for payment of any money beyond the time mentioned in ye vote of ye 11th inst. Wherefore the following vote was pass'd & sent up by Maj^{r} Stevens & Mr. Gilman

Province of New Hamp^{r}.

In ye House of Representatives, Feb. 13, 1744.

Whereas a vote was passed in this House on ye 11th curr^{t} for Imprinting & signing the sum of Ten thousand pounds to defray ye charge of transporting, Paying &c. 250 voluntiers on an Expedition against Louisburgh, agreeable to a Report of a Com^{tee} of both Houses ye 1st of Feby curr^{t} & further carrying on ye war against his Majesty's Enemies &c. which vote his Excellency the

Governor informed the House yesterday lay before him for his assent thereto, & whereas this House have further considered the great importance the success of this Expedition is of to his Majesty & all the Governments on this Continent & to this Province in a particular manner, & being Resolved to do all they can to forward said Expedition even to exceed their ability & proportion:

In addition to the said vote of ye 11th curr^t

Voted, That the Capt. General be desired to Incourage the Inlisting of one hundred voluntiers more (officers & sailors included) under such proper officers as he shall appoint giving them the same Encouragement as proposed in a Report of a Committee of both Houses ye 1st of the Feby curr^t & under the same Restrictions & Limitations, & that for the defraying of the charge of their Transportation and any further charge of ye 250 voluntiers not before thought of, & all other charges relating to them there be forthwith Imprinted & signed by the same Committee or Committees to be appointed, besides the sum mentioned in ye afores^d Vote, the sum of three thousand pounds bills of Credit Equal in value to & of such form as the bills in said vote mentioned; That said bills be put into the Treasury & lay there for the use afores^d as shall be ordered by the Genl Assembly to be appropriated for said use, & called in in ye same manner & form as in the afores^d vote, in proportion to ye sum, & that both sums be included in ye same act & under the management of ye same Committees.

[P. 152.] A special Act Enabling the Judge of Probates to finish the settlement of the Estates of Saml & John Penhallow, read, & having been read three times before voted, That it pass to be enacted. Sent up for concurrence by Mr: Fabyan & Mr. Lock, ye 13th inst.

Mr. Wibird came down & told the House that both the votes relating to the Expedition were concurred & assented to, & delivered a Paper & s^d his Exc^y Recom^d it or something like it for the House's consideration. While ye House were consid^g of the above paper Mr. Wibird came down & sd his Exc^y desir'd the House would come into a Resolution upon s^d paper directly, because his Exc^y proposed to annex it to the Proclamation. The House sent up Mr. Sherburne with ye following message to his Exc^y:

The House desire to be informed whether there is any authenticated certificate y^t ye Map provided in ye manner represented in the paper laid before the House: if there is, pray that his Exc^y will direct it to be laid before the House. The House sent up Coll. Wallingford & Mr. March with ye following vote:

Voted, That the same encouragement be given to private Centinalls & sailors that will enlist as voluntiers on ye Exped^n ag^st Louisburgh as is given in ye Prov. of Mass^a Bay, & then adjourn'd till 1–2 past three.

Met according to adjournment, & the following vote sent up by H. Sherburne, jun.

Voted That Thomas Millet Esq. & Clement March, Esq. be a Com^{te} of this House to joyn with such as may be appointed by the Honble his Majesty's Council to go imediately to Boston & get the thirteen thousand pounds wch the Genl Assembly have voted shall be Impressed, imprinted with all possible dispatch on the best terms they can get it done; That it be struck from the same Plates as the £25000 were struck from; two thousand Pounds of it from ye small plate & all the rest from the large plate; That there be no other alterations in ye plate but that of the date; that they convey it safely to ye Com^{te} appointed to sign it as fast as possibly they can after it is Impressed, That the s^{d} Com^{te} be under oath to ye faithful discharge of ye trust repos'd in them. Sent up for concurr. by Mr. Stevens & Frost.

Mr. Wibird joyned by the Council.

[P. 153.] Voted That Nath. Rogers Esq. Coll. Peter Gilman Esq. Mr. Henry Sherburne jun. be a Com^{tee} of this House to joyn with such as shall be appointed by the Honble his Maj^{ts} Council to sign the Thirteen thousand pounds voted to be Imprinted for the Exp^{d} to Louisburg & further carrying on ye war, & that they or any three of them sign each bill, & y^{t} ye s^{d} Com^{tee} be under oath to ye faithfull discharge of y^{r} trust. Sent up for concurrence. Geo. Jaffrey, Joth. Odiorn & Theo. Atkinson [joyned] of the Council.

Voted, That the Plates on wch the £25000 loan was struck from be delivered to the Com^{tee} for getting the £13000 for the Exped^{n} Imprinted & that there be pd. to ye s^{d} Com^{tee} out of the Treasury to enable them to begin & carry on the work, fifty pounds, by them to be accounted for to the Genl Assembly, & when the Impression of ye s^{d} sum is finished that they bring the s^{d} plates & deliver them to the Genl Assembly. Sent up by Mr. Frost & Mr. Gilman.

Ellis Huske Esq. came down with ye vote for Com^{te} to get the money Imprinted, in wch Richd Wibird, Esq. was added by the Council, also the vote for a Com^{te} to sign the money, to which Geo. Jaffrey Esq. Jotham Odiorne Esq. & Theo. Atkinson Esq. were joyned as a Com^{te} of Council.

Whereas Richd Jennens Esq. of Rye has one of the keys of the chest in which the Plates from which y^{e} £25000 loan was struck is kept,

Voted That Mr. Jonathan Lock go to the s^{d} Richd Jennens Esq. & demand of him the afores^{d} key & that the s^{d} Richard Jennens Esq. deliver the s^{d} key unto the s^{d} Lock & that the s^{d} Lock bring ye s^{d} Key into this House as soon as he gets it, & then adj^{d} till to morrow ten o'clock.

[P. 154.] Thursday, February ye 14th 1744—Met according to adjournment.

Voted That Coll. Gilman, Mr. Meshech Wear, Maj^{r} Eben^{r} Ste-

vens, Thomas Millet, Esq. & Mr. Henry Sherburne, jun. be a Com^te^ of this House to joyn with such as may be appointed by the Honble his Maj^tys^ Council to provide & fitt vessels for transports, to procure provisions, stores of all sorts & transact every other affair proper for a Com^te^ to act in Relating to the Expedition for the Reduction of Louisburg, agreeable to the votes of the Gen^ll^ Assembly, That money be borrowed out of the appropriated money now in the Treasury to enable the Com^te^ to begin the work, to be repaid again, together with the fifty pounds voted to be p^d^ to ye Com^te^ for Imprinting the money, when the money appropriated for the use of the Expedition comes in; That when the money appropriated for fitting vessels, advance wages, blankets, provisions & stores is in the Treasury (after deducting what may have been borrowed) it be p^d^ to the Com^te^ by his Exc^y^ the Gov^rs^ warr^t^ agreeable to ye vote of the Genl Assembly, as they may have occasion for it, & that they be accomptable to the Genl Assemb: for such sums as they shall receive & that they make Report of their proceedings to the Genl Assemb. from time to time as the Genl Assemb. shall require the same. Sent up for concurrence.

Mr. Secretary came down with the following Message from his Exc^y^: His Exc^cy^ recomends it to the House to pass a vote that the officers & soldiers in y^s^ Province for the Expedition ag^st^ Louisburg have ye same pay as in the Massachusetts, wch he apprehends would be for the encouraging the affairs going on.

Voted thereon, Mr. Wear & Mr. Thompson go up & inform his Exc^y^ that the House have his Exc^ys^ message about encouraging officers under their consideration, & pray his Exc^y^ will inform them what officers & how many he proposes to appoint.

The vote for a Com^tee^ to manage the affair of the Expedition concurr'd & assented to & George Jaffrey & Henry Sherburne Esq. Richd Wibird & Saml Smith, Esqs & John Downing, Esq. added to the Com^tee^. Adjourn'd for two hours.

[p. 155.] Met in the afternoon, Feb. 14, 1744—

Voted That the Collonel, Lt. Collonel & Major, Captains & all under officers that are or shall be appointed to command the voluntiers voted by the Genl Assembly to go on the Expedition ag^st^ Louisburg have the same allowances made them pr month as are allowed by the Government of the Mass: Bay on ye s^d^ Expedition, provided each Company consists of forty men or upwards, & that the Captains have the same allowance for enlisting men in proportion to the number of men in each Company & that no Capt. be entitled to the bounty for enlisting men untill his Company be compleated; also that the Chaplin, Surgeon & Surgeon's mate (to be appointed by the Genl Assembly) have the same allowances as in s^d^ Province of the Massachusetts Bay, provided the surgeons wages don't exceed five pounds pr month. Then sent up for concurrence. Adjourn'd till to-morrow ten o'clock.

Fryday, February ye 15th 1744—Met according to adjournm^t.

Colonel Thomas Wallingford, a member of this House making complaint unto the House that on Wednesday ye 13th curr^t during the session of this House, Cyprian Jeffrey of Portsm^o in s^d Prov. Shopkeeper, did make an assault on him the s^d Wallingford & y^t ye s^d Jeffry drew out his knife & said he would cutt his ye said Wallingford's throat if he got forty men to do it. It being consider'd by this House & Voted, That by doing hereof ye s^d Jeffry did greatly affront ye s^d House, Insult & offer great Indignity to them. It is further voted, That a warrant forthwith go out from the Speaker of this House directed to the Sheriff of this Province Requiring him forthwith to apprehend the body of ye s^d Cyprian Jeffry & him bring before this House to be Exam'd concerning the premises & dealt with according to the Laws & customs in such cases made, used & appointed.

War^rt accordingly granted.

[p. 156.] Mr. Secretary came into the House and informed them that his Exc^y sent him to inform the House that he would spare any gunns out of the Fort that might be of use to the Expedition ag^st Louisburg.

Whereas his Exc^y the Govr has offered to spare any Gunns out of the Fort that may be of service in the Expedition:

Voted, That one of the vessels to be provided for Transports be well fitted with eight such suitable gunns as his Exc^y will please to spare out of the Fort & that the Com^tee to transact the affair of the Expedition be hereby Impowered suitably to fitt one vessel with such Gunns as his Exc^y may let them have to guard the other vessels & with all other suitable stores to fight s^d Gunns, provided that the s^d vessell be manned out of ye 350 voluntiers, heretofore granted, & also that the s^d Comittee be impowered to get the vessels that he provided for transports valued & apprized.

Sent up for concurrence by Mr. Sherburne, with a verbal message informing his Exc^y y^t ye House were about ye Act for Emit^g £13000 & pray his Exc^y would not adjourn the Genl Assembly for any time till that was passed.

Whereas Thomas Millet, Esq. who was appointed by this House to be one of a Com^te to joyn with such as should be appointed by the Honble his Maj^tys Council to inquire into the grants made of men & to Receive muster Rolls &c. &c.; Whereas the s^d Thomas Millet Esq. is appointed to be of a Com^tee to go to Boston & get the £13000 Imprinted so that he cannot attend on the business of the Com^tee first mentioned, that the Com^tee therefore to receive Muster Rolls &c. may proceed on ye affair with Dispatch,—

Voted, That John Fabyan Esq. be appointed out of this House to joyn with ye s^d Com^tee to inquire into the grants that have been made of men in ye year past for the Defence of the Government & receive the Muster Rolls consequent thereupon & Examine them & make speedy Report unto the Genl Assm in order for

their allowance. Sent up for concurrence, in the afternoon by Mr. Levitt & Mr. Fabyan.

[P. 157.] Thomas Millet, Esq. & Clement March, who were appointed of the Comittee to get y^e £13000 Imprinted, were sworn to the faithful discharge of the trust Reposed in them.

The House is adjourn'd for one hour & a half.

Met according to adjournment.

Coll. Joseph Blanchard Esq.(1) came into the House & informed the House that by virtue of the Sheriffs writ he was chosen to Represent the District of Dunstable, Litchfield & Nottingham, & prayed to have his seat in the House; upon which he was told by the Speaker that the House knew nothing of his being so chosen &c.

In the afternoon the Sec^y brought the Gov^rs writ to the Sheriffe & the Sheriffs Return upon it that Joseph Blanchard Esq. was Returned as chosen for Dunstable, Litchfield & Nottingham, But inasmuch as this House knew not any Law, custom or usage of the Province intitling the places or any of them, by which he was chosen & sent, to send a Representative to sit in the Genl Assembly of this Province & forasmuch as every Town, Parish or District ought to have a Right so to do by Law, custom or usage of the Prov. previous to the Issuing of the King's writ,

Voted, That until the s^d Joseph Blanchard Esq. make it appear to this House, that those places for wch he was chosen had a Right by Law, custom or usuage of this Prov. before the Issuing of the s^d writ to send a Representative to sit in the Genl Assembly of this Prov. he be not admitted to the Privilege of a seat in this House.

Mr. Solly came down & s^d his Exc^y desired to know if the Report of the Com^tee about men, &c. was pass'd. The Act for 13000 Read ye 2^d time & then adjourn'd till tomorrow ten o'clock.

[P. 158.] Saturday February ye 16, 1744— Met according to adjournment.

Voted, When the Bill shall be passed by the General Assembly for the supplying the Treasury with £13000 bills of Credit for defraying the charge of the Expedition to Louisburg & further carrying on the warr against his Majesty's Enemies &c. that then his Exc^y the Governor be desired to inlist or Impress fifty good effective men to be by him employed in his Maj^tys service for one month at twenty five shilling pr month, ten of the s^d fifty men to be posted at Fort William & Mary & forty to be imployed in Scouting on the Frontiers as his Exc^y shall think proper.

(1) Coll. Joseph Blanchard was a native of Dunstable; a distinguished citizen and officer during the French and Indian wars. He was born Feb. 11, 1704, was the father of Joseph Blanchard, jun., a noted surveyor, who, with the Rev. Dr. Samuel Langdon, published a map of the Province in 1761.—Ed.

Sent up for concurrence by Mr. Gideons & Mr. Lock.

Mr. Solly came down & s^d his Exc^y desired the original papers from the Lords Justices, wch were directly sent up by Mr. Levit & Mr. Fabyan.

The Bill for supply of the Treasury with thirteen thousand pounds for defraying the charge of the Expedition ag^st Louisburgh & further carrying on ye warr &c. having been read three times: *Voted*, That the s^d Bill be passed to be Enacted & signed by the Speaker & entryd.

Nathl Rogers, Esq. Col. Peter Gilman Esq & Henry Sherburne, Jr. who were chosen a Com^tee of this House to sign y^e £13000 were sworn to the faithful discharge of the trust reposed in them.

The Sec^y came down and s^d the Council could not pass the Bill for £13000 till the House had pass'd ye Report of ye Com^tee to make estimation of men & money. The House sent up Messrs Sherburne & Frost with the following message: The Bill sent up for the supply of the Treasury is exactly agreeable to the votes on wch it is founded & therefore the House hope the Honble Council will readily pass it, that the publick affairs at this extraordinary season may not be delay'd.

The Sec^y soon came down & *told the House that the bill was passed*, & adjourn'd the Genl Assembly till Monday ye 25th curr^t.

[p. 159.] Province of N. Hamp^r.

Monday February ye 25th 1744— Met according to adjournment.

Voted that Mr. George Libby be Commissary to go with the forces that go from this Province on ye Expedition ag^st Louisburg, to receive from ye Com^tee appointed to procure provisions & stores &c. for s^d Expedition & take care of & deliver out s^d Provisions & Stores agreeable to ye Direction of ye s^d Comittee & that he be Accomptable to ye Genl Assembly therefor & have four pound ten shillings pr month for his wages pr m^o. Sent up by Mr. Gideon.

Voted, That Mr. Thomas Miller & Mr. Nathl Sergeant jun. be Surgeons to attend on ye Reg^t that goes from this Prov. on ye Exped^n ag^st Louisburg & that proper Medicines & Instruments be provided by the Com^tee & if both or either of those Gen^t decline going that the Com^tee for procuring stores &c. be hereby Impowered to provide a suitable person or persons for surgeons.

Sent up for concurr. by Maj. Stevens & Mr. Wear.

Voted, That the Com^tee for procuring provisions & stores &c for the Expedition be desired to provide a suitable person for a Chaplin to go with ye Forces from this Province on ye s^d Exped^n ag^st Louisburg. Sent up for concurr. by Mr. Levit & Mr. Lock.

The Sec^y came & told the House that his Exc^y desired him to adjourn the House till Monday next ye 4th of March.

Monday, March ye 4th 1744—Met according to adjournment & The Sheriff came into the House & made Return of the warr^t granted to apprehend Cyprian Jeffry—as on file—& bring ye s^d Cyprian into the House, but Coll. Wallingford & the witnesses not being present, ordered that the matter be heard to morrow [P. —] (1) three of the clock in the afternoon, if this House be then sitting; if not that it be heard on ye 2^d day of ye next sitting of this Court at three of the clock in the afternoon & that the Sheriff keep the s^d Jeffry in custody untill the s^d time & then bring him before this House.

Voted that the sum of thirty pounds be granted for the Expedition to the Honble Wm. Pepperill Esq. (2) General &c. to enable him to provide for his table in ye Intended Expedition.

Sent up for concurrence.

William Frost, Esq. making a motion to have leave from ye House to go as Secretary to the General on ye Expedition ag^st Louisburg,

Voted That he have leave to go (3).

The Sec^y came into the House & informed them that his Exc^y had adjourn'd ye House to Thursday, 7th inst.

Thursday March ye 7th 1744—Met according to adjournment. Mr. Levit & Mr. Lock sent up to pray the Honble Council to send down the Report of ye Com^tee on ye Muster Rolls & the Report of ye Com^tee to view ye Fort, &c. The Secretary came down & said Coll. Downing had got ye s^d Report, & afterwards said the Council was adjourned till to morrow eleven o'clock.

Memorial of Capt. William Vaughan (4).

[Copied from MS. Corr. in Secretary's office, Vol. I, p. 201.]

To his Excellency Benning Wentworth, Esq. Capt. General & Governor in chiefe in & over his Majesty's Province of New Hamp^r in New England.

Humbly sheweth—y^r Memorialist William Vaughan of Damriscotty in ye County of York, Gen^t y^t some time past, at ye Instance of his Excellency

(1) P. — from pp. 159-161— the pages in the original Journal are not correctly marked. —ED.

(2) "The person appointed to command the Expedition was WILLIAM PEPPERILL, Esq. of Kittery, Me., colonel of a regiment of militia; a merchant of unblemished reputation, and engaging manners, extensively known both in Massachusetts and New Hampshire, and very popular. These qualities were absolutely necessary in the commander of an army of volunteers, his own countrymen, who were to quit their domestic connexions and employments, and engage in a hazardous enterprise, which none of them, from the highest to the lowest, knew how to conduct. Professional skill and experience were entirely out of the question; had these qualities been necessary, the expedition must have been laid aside; for there was no person in New England in these respects qualified for the command. Fidelity, resolution and popularity must supply the place of military talents; and Pepperill was possessed of these. It was necessary that the men should know and love their General, or they would not enlist under him."—*Farm. Belk., p.* 271.

(3) The above paragraph is *crossed* in the Journal of the House.—ED.

(4) "It has been said that the plan of the famous enterprise [against Louisburg] was first suggested by WILLIAM VAUGHAN, a son of Lt. Gov. Vaughan of New Hampshire. Several other persons have claimed the like merit. How far each one's information or ad-

William Shirley, Esq. Governor of ye Province of ye Massachusetts Bay, he came to this Government with Dispatches desiring ye assistance of this Government in ye Intended Expedition against Cape Breton, yt yr Memorialist Intimated the same by a Memorial Praying yt this Govt might vote subsistance for five hundred men. That he has been Riding ye Circuit in ye most settled Towns in this Province and is fully convinced yt yt number of men will appear to go Voluntiers; That ye Province of ye Massachusetts Bay have Determined to have Eight large Vessels of Warr, and have Determined to be at a much greater Expence than Intimated by yr memorialist heretofore (besides guarding ye Coast ye year past and yr Intention to do the same this year) when at ye same time this Province is at no expense on yt account, That yr is certain news yt Connecticut Colony has voted a thousand men in this affair.

Wherefore yr Memorialist on ye whole of this affair humbly Prays yt this Government may on due consideration of these affairs, Vote subsistance for five hundred men besides officers (ye Massachusetts Companys having fifty four men in each of them And ten such to a Regiment) The doing of which will be ye greatest Encouragement to said Government of ye Massachusetts Bay to exert themselves on all necessary occasions hereafter. And yr Memorialist (in behalf of sd Governmt) as in Duty bound shall ever pray.

Wm. Vaughan,

Portsmo March 7th 1744.

Fryday, March ye 8th 1744— Met according to adjournment.

Voted That Coll. Gillman's (1) three Muster Rolls be allowed and paid out of the Treasury, out of the money raised by Tax for payment of soldiers, &c.

Viz. One for 25 men from ye 25th May, 1744,	31:	9:	11
One for 25 men 12 days from June 13,	16:	2:	6
One do. 20 men 14 days from June 26 & 30.	13:	5:	0
Sent up by Mr. Stevens & Lock.	60:	17:	5

Voted that the following Muster Rolls of Capt. Henry Sherburne be allowed & paid out of the Treasury out of the money raised by Tax for payment of soldiers, &c.

One for 11 men from ye 29th May 1744	=(all on one sheet)		
One for 11 men from 14 June, 1744	£23:	17:	6
One for 14 men from 5 July, 1744			
One for 30 men from 23 July, 1744	= 38:	0:	0
One for 15 men from 29th Aug. 1744	= 19:	5:	0
Sent up by Mr. Stevens & Mr. Lock.	81:	2:	6

vice contributed toward forming the design, cannot now be determined. Vaughan was largely concerned in the fishery on the eastern coast of Massachusetts. He was a man of good understanding, of a daring, enterprising and tenacious mind, and one who thought of no obstacles to the accomplishment of his views." After the capture of Louisburg, in which Vaughan took a conspicuous part, he went to England to seek a reward for his services, but was unsuccessful. He died in London, about the middle of December, 1746. [*See Farm. Belk. p.* 269, *and Farm. & Moore's Coll. Vol.* 2, *pp.* 161-165.]—Ed.

(1) Most of the Muster Rolls mentioned in this portion of the Provincial Records, are found printed in full in Hon. C. E. Potter's Mil. Hist. of N. H., Adj. Rep., Vol. II, 1866, p. 54—Ed.

Voted That Mr. H. Sherburnes Acc^{t} amounting to the sum of 3: 18: 9 in consideration of his serv^{es} be allowed & paid out of the Treasury out of the money raised by Tax for payment of soldiers &c. 3: 18: 9

Sent up by Mr. Stevens & Mr. Lock.

Voted That Capt. Jeremiah Clough's muster Roll for twenty men amounting to Sixteen pounds twelve shillings & ten pence be allowed & paid out of the Treasury out of the money raised by Tax for payment of soldiers, &c. £16: 12: 10

Sent up by Mr. Wear & Mr. Fabyan.

Voted that Capt. Benj. Matthews his two muster Rolls amounting to thirteen pound 11*s.* 6*d* be allowed & paid out of the Treasury out of the money raised by Tax for payment of soldiers &c.

One Muster Roll for 9 men 12 days	5: 9: 6
One Do for 11 men 12 days	8: 2: 0
Sent up by Gilman & Lock.	13: 11: 6

Voted, That Capt. John Gage's Muster Roll amounting to fifteen pounds five shillings, be allowed & paid out of the Treasury out of the money raised by tax for paym^{t} of soldiers, &c.

Sent up by Gilman & Lock. 15: 5: 0

The Secretary came & informed the House that his Exc^{y} had adjourned the Genl Assembly to Wednesday ye 13 curr^{t}.

Wednesday, March ye 13th 1744— Met according to adjournment. It appearing to this House that Samuel Pease of New Market in this Province sometime in the month of January past did kill one grown wolf & send the head with both Ears to the Treas^{r} but for want of proper certificates did not receive the premium therefor, & that afterwards when one of the selectmen of s^{d} Town had cut off one of the ears of s^{d} wolf, the head was lost, & that ye s^{d} Pease never had anything therefor, & the s^{d} Pease being bound as a volunteer in ye Exped^{n},

Voted That he be paid out of the money in the Treasury for that end, the premium for killing a grown wolf. Sent up by Mr. Gilman & Lock.

Whereas George Libby who was voted to be Commis^{y} on the Exped^{n} agst Louisburg refuses to go for the allowance made him by the Genl Assembly,

Voted That the Com^{tee} for managing affairs relating to the Expedition be Impowered to appoint & agree with a Commissary to go with the Forces on the Exped^{n} as they may think most for the publick good.

The Sec^{y} came down & s^{d} that the Council did not think it

would be nec^{y} to send a Comis^{y} with the vessels now, but that Capts of the Comp^{ys} should be Comis^{ys}, & the House sent up Mr. Sherburne & Mr. Gilman to inform the Honble Council that inasmuch as the House were Informed that the Com^{tee} proposed to send two months provisions with the forces & as it was probable that in less than one month the Provisions would be landed in some place to be provided, when the House thought it would be absolutely necessary to have a Commissary to receive & deliver the provisions out & take care of them.

The Sec^{y} came down & s^{d} the Council were unanimously of opinion that there was no need of a Commissary &c.

The Sec^{y} came down & s^{d} his Exc^{y} desired the House would proceed to the choice of a Com^{te} to provide material to repair the Fort agreeable to a schedule laid before the House, &c.

Mr. Sherburne & Capt. Thomson sent up to Inform the Honble Council that the House were Informed that the Com^{tee} proposed to send down other stores for souldiers besides provisions &c. such as shoes &c. & that they proposed to follow the example of the Mass^{a} in y^{t} matter as well as others, that there the Masters of the vessels were stewards for the men on board them & their own crew, & when they came to the place where the provision & stores were to be land they were to be delivered to the Commissaries, therefore the House pray that the Honble Council will concur with their vote that the progress of the Expedition may not be stopped.

Mr. Secretary came down & s^{d} that he was directed by his Exc^{y} & the Councill to inform the House that neither the House nor the Councill had any thing to do about appointing a Commissary, That the power was in the Governour & that the vote for a Commissary was not concurred with, but that if the House or Com^{tee} would chose a person, the Govr would give him a warr^{t}.

Voted That a message be sent up to pray that the message last brought down by Mr. Sec^{y} may be sent down in writing. Mr. Wear & Mr. Philbrook.

Mr. Sec^{y} brought down with ye following message in writing—on file—& s^{d} it was ye afores^{d} message in writing (1) & also s^{d} he was directed by his Exc^{y} to adjourn the Genl Assembly to Tuesday ye 2^{d} day of April next & accordingly s^{d} they were adjourn'd &c.

Letter from his Excellency Benning Wentworth Esq., Governor of New Hampshire, to Lt. General Pepperell.

[Copied from MS. Corr. in Secretary's office, p. 203.]

March 23^{d} 1744–5.

Sir.

I herewith transmitt to you a List of the Transports employ'd by this Government for the service of the Expedition against the French at Louisburg,

(1) This message cannot now be found.—Ed.

also what Transports are employ'd to transport the one hundred & fifty men, in the pay of the Massachusetts Government, which are aggregated to the Regiment, whereof I have appointed Saml Moore, Esq. Colonel. Also I think proper to acquaint you that I have appointed Capt. Fernald Commander of a Sloop fitted out by this Government, in a warlike manner, to annoy his Majesty's Enemies, and to guard and convoy the Transports. I have also appointed the said Jno Fernald a Capt of a Company in Col. Moore's Regiment to act either by Land or by sea, as the service may require it. I have thought it necessary, in order to preserve the Command you are appointed to, that you have the intire command and disposition of the Regiment and Transports, also of the Sloop of War, And I do hereby put the same absolutely under your command, hereby requiring them to obey you, as their Commander-in-Chief, and to follow such orders and commands as from time to time they or either of them shall receive from you.

Sr—y^r Hum: serv^t

B. Wentworth.

Province of N. Hamp^r

Portsmo' Ap^r ye 2^d, Tuesday, 1745, Met according to adjournment.

Voted that Clement March, Esq. & Mr. Meshech Wear go & inform his Excellency the Governour that there is a House: who waited upon his Exc^y & Return'd & informed the House his Exc^y would attend them at 3 o'clock in ye afternoon, whereupon at one o'clock the House adjourned till three.

Afternoon—Met according to adjournment. At 20 min^ts p^t 4 o'clock, Geo. Jaffrey Esq. came into the House & deliver'd some papers to the Speaker viz. A copy of an order of his Maj^ty in Council relating to Fort Dummer with a vote of ye Prov: of Mass. therein & a letter from Govr Shirley of ye 25th July past, & told him that his Exc^y desired the House would come to some speedy Resolution about them, that his Exc^y might transmit ye same to his Maj^ty by the Fleet ve^ss he expected would sail to morrow.

DOCUMENTS RELATING TO FORT DUMMER.

No. 1.

Order of the King in Council.

[Bound up with "Governor's Commissions," in Secretary's office.]

At the Court in Kensington the 6th of September, 1744.

Present: the Kings most Excellent Majesty in Council.

Whereas William Shirley Esq. his Majestys Governor of the Province of the Massachusetts Bay, hath by his letters to the Lord President of the Council, and to the Duke of New Castle, one of his Majestys principal Secretarys of State, which have been laid before his Majesty at this Board, complained of his Majestys Province of New Hampshire for neglecting to take possession of, and to provide for a fort called Fort Dummer, which was built by the Massachusetts Government about twenty years since upon the western frontiers of that Province and had been hitherto garrisoned by them, but is lately fallen

within the limits of the said Province of New Hampshire, by the settlement of the boundary line between the two Provinces and which Fort is represented by the said Governor to be at this time of very great consequence to all his Majesty's subjects in those parts, in regard it is situated within three or four days march at farthest from a very strong Fort, built within these few years by the French at Crown Point, which will be a place of constant retreat and resort for the French and Indians in all their Expeditions against the English settlements; and therefore requesting that his Majesty will be graciously pleased to give such directions in relation thereto as may prevent the said fort from falling into the hands of the enemy; The Massachusetts Government not thinking themselves obliged to provide for a Fort which no longer belongs to them; His Majesty in Council this day, took the same into consideration, together with a report made thereupon by the Lords of the Committee of Council, and hath been thereupon pleased to order that the said Fort and garrison thereof should be supported and maintained, and that the Governor or Commander in chief of New Hampshire should forthwith move the Assembly, in his Majesty's Name to make a proper provision for that service, and at the same time inform them that in case they refuse to comply with so reasonable and necessary a proposal, his Majesty will find himself under a necessity of restoring that Fort, with a proper District contiguous thereto, to the Massachusetts Bay, who cannot with justice be required to maintain a fort no longer within their boundaries: and that the said Governor should transmit to his Majesty at this Board, with all convenient speed, an account of his proceedings, together with the final resolution of the Assembly thereupon. But his Majesty, considering the importance of the said Fort, and the great mischiefs that may happen to his subjects in those parts, in case the same should in the mean time fall into the hands of the enemy, doth therefore think it proper hereby to order and require the Governor of the Massachusetts Bay to represent to the Assembly of that Province the necessity of continuing to provide for the security of Fort Dummer until a final answer can be obtained from New Hampshire, and his Majesty's pleasure be farther signified therein (1).

No. 2.

Report of the Lords of the Committee of Council, &c.

[Bound up with "Governor's Commissions," in Secretary's office.]

At the Council Chamber, Whitehall, the 29th of August, 1744.

By the Right Honourable the Lords of the Committee of Council for Plantation affairs.

Your Majesty having been pleased by your order in Council of the 9th of this Instant to referr unto this Committee two letters from William Shirley, Esq. your Majesty's Governor of the Province of the Massachusetts Bay to the Lord President of the Council, and to the Duke of New Castle one of your Majestys Principal Secretarys of State complaining of your Majestys Province of New Hampshire for neglecting to take possession of, and to Provide for a Fort called Fort Dummer which was built by the Massachusetts Government about Twenty years since upon the then Western Frontier of that Province and been hitherto Garrisoned by them — But is lately fallen within the limits of the said Province of New Hampshire by the settlement of the Boundary Line between the two Provinces, and which Fort is represented by the said Governor to be, at this time, of very great consequence to all your Majestys subjects in those parts, in regard it is scituated within three or four days March, at farthest from a very strong Fort, built within these few years

(1) The foregoing paper is printed in Potter's Military History of N. H., Adj. Gen. Rep., Vol. 2, p 122, 1866.—Ed.

by the French, at Crown Point, which will be a place of constant Retreat and Resort for the French and Indians in all their Expeditions against the English settlements and therefore requesting that your Majesty will be graciously pleased to give such Directions in relation thereto as may Prevent the said Fort from falling into the hands of the Enemy—The Massachusetts Government not thinking themselves obliged to provide for a Fort which no longer belongs to them, The Lords of the Committee, in obedience to your Majesty's said order of Reference, have taken the same into their consideration, together with a Report made thereupon by the Lords Commissioners for Trade and Plantations, and agreeing in opinion with what is proposed by the said Report, Do humbly offer to your Majesty, That Fort Dummer and the Garrison thereof should be supported and maintained, and as the same is now within the District of New Hampshire, That the Governor of that Province should be directed, in your Majestys name, to move the Assembly to make a proper provision for that service, and at the same time to inform the Assembly that in case they refuse to comply with so reasonable and necessary a Proposal, your Majesty will find yourself under a necessity of restoring that Fort with a proper District contiguous thereto, to the Province of the Massachusetts Bay, who cannot, with justice, be required to maintain a Fort, no longer within their boundarys, and that orders may be sent to the Governor of the Massachusetts Bay directing him to represent to the Assembly of that Province the necessity of continuing to provide for the security of Fort Dummer till a final answer can be obtained from New Hampshire, which your Majesty's Governor of that Province may be required to obtain, without loss of time.

No. 3.

Copy of a letter from Governor Shirley to Governor Wentworth.

[Found in Secretary's office, bound up with "Governor's Commissions,"&c.]

Boston, Feby 25, 1744.

Sir

I was loth to Divert your Excellency with any new Business, from the Great & important affair of the expedition, which, together with the close application of my own mind to that affair, are the Reasons that I have not Inform'd you that I have receiv'd an order of his Majesty Relating to the Garrison at Fort Dummer,—a copy of which I now send you; By which you will find that his Majesty Expects that the Province of New Hampshire within the Bounds of which that Fort lies, should support it, and that he will upon no terms consent to the evacuating of it; and therefore has ordered me to move our General Court to be at the charge of maintaining the said Fort for some short time till your Government shall come to a resolution upon this point. Accordingly upon my Recommendation the General Court here have provided for the pay & subsistance of the Garrison there for three months from the twentieth of January last, as you will find by a copy of their vote, which I now send you, Beyond which time I have no Expectation that they will burthen the People with the charge of supporting a Fort within the District of another Government.

The affair being in this Situation, I must pray your Excellency to come to a speedy Resolution herein, that so his Majesty's expectations may not be frustrated. I am now ready to Deliver up this Fort into your hands, upon you having a Garrison ready to take possession of it, as I offered you the last Spring; you will please to give me your answer as soon as possible that so his Majesty's service may not be prejudiced by any Delay, and that I may make Return to his Majesty upon this order.

I am Sir Your Excellency's most obedient
Humble Servant,

His Excelly Gov. Wentworth. W. SHIRLEY.

No. 4.

Vote of the House of Representatives, in Massachusetts, relating to Fort Dummer.

[Found in Secretary's office, bound up with "Gov^s Commissions."]

Province of the Massachusetts Bay.

In the House of Representatives, Jan. 9, 1744-5.

The Gov^rs Message of the 8th inst. accompanying the order of his Majesty in Council, respecting the State of Fort Dummer, having been read to the House, It is thereupon unanimously Voted, That in consideration of the great Danger there is that the said Fort may fall into the Enemy's hands, and the Inhabitants from Contocook to Connecticut River be all Drove from their settlement, notwithstanding the forces that are maintained by this Province in scouting within those limitts, The Capt. General be desired to cause the same number of officers and men as were in the last Establishment at said Fort to be inlisted and there posted, & that the same allowance as before be made for their wages & subsistance for a term not exceeding three months, to commence the 20th of this month, Provided that this vote or Grant shall not be Deemed or urged as a precedent for this Governments taking into their pay at any time hereafter this fort or any other fort which may serve as a Protection to any Inhabitants or Estate the Jurisdiction whereof is claimed by any other Government.

Sent up for Concurrance,

T. Cushing, Speaker.

In Council, Jany 9th 1744-5. Read & unanimously concurred.

T. Willard, Sec^y.

Consented to

W. Shirley.

Voted That Mr. Wear & Mr. March wait upon his Exc^y & pray him to order Mr. Hazen's plan of the Province to be laid before the House; that they pray the Honble Council to Inform the House if their vote about choosing a Recorder & also a special act to enable the Judge of Probates to settle some Estates &c. are passed upon.

The Secretary came down and Informed the House that his Exc^y would order the plans to be laid before the House in the morning, but desired that the House would come to a Resolution on ye above mentioned papers, for the man of Warr was off of the Harbour & had sent in for the mast ships to come out to him.

Sometime after the Sec^y brought Mr. Hazen's plan into the House. The House adjourn'd till tomorrow half past nine.

Wednesday, ye 3^d of April 1745, met according to adjournm^t.

Voted That Mr. Wear & Mr. Philbrook wait upon his Exc^y & Inform him in answ^r to his Message by Mr. Jeffrey that the House look upon ye subject matter of the s^d Message to be of too

great Importance to be hurried over suddenly & therefore have ordered that it should lay for consideration.

Mr. Secretary came down & informed the House that his Exc^{y} apprehends it will be of dangerous consequence to let the affair lay for consideration, that he apprehends Massachusetts have wrote by these ships & would be glad to have something to write by them on ye affair.

Upon wch considering the very shortness of the time they have to consider of the affair in, when Govr Shirleys letter laid before the House was dated ye 25th of Feby last, &c.

Voted that the matter lay for consideration.

The Secretary came down & said that his Exc^{y} kept ye Council sitting in hopes of having something to send by these ships & further pressed the matter. Upon w^{ch}

Voted, That the following message be sent up to his Exc^{y} the Govr in answer to his message by Mr. Secretary Atkinson Relating to his Maj^{tys} order in Council about Fort Dummer, wch was laid before this House on ye 2^{d} curr^{t} 4 o'clock afternoon.

May it please your Excy,

Your Exc^{y} was pleased to inform the House by Mr. Secretary Atkinson that it would be of dangerous consequence to let the affair Relating to Fort Dummer lay for consideration; upon wch we would observe that his Exc^{y} Govr Shirley's letter to your Exc^{y} is dated ye 25th of Feb^{y} & wee suppose it came to your Exc^{ys} hands in a few days after the date. Now as your Exc^{y} thinks it of such dangerous consequence to delay this matter, it is truly matter of great surprise to this House that your Exc^{y} should keep papers relating to an affair of such Importance (wch your Exc^{y} thinks the taking proper time to consider of might be of dangerous consequence) so long a time without communicating them to this House & especially when wee observe that his Maj^{tys} directions in Council is that your Exc^{y} should forthwith move the Assembly, &c. Wee think it very unreasonable that when wee suppose your Exc^{y} has had above thirty days to consider & think of the matter in, that this House should be urged to come to a Resolution on a point in a few hours wch must necessarily take them many days to inquire into the advantages & disadvantages of, & therefore think that in duty to his Maj^{ty} and the people they Represent they ought to take time to consider of the matter before they come to a Resolve.

The Secretary then came & told the House that his Exc^{y} had adjourned them till five of the clock in the afternoon.

[p. 161.] 5 o'clock, Met according to adjournment.

Cyprian Jeffrey being brought into the House agreeable to ye order to answer to the complaint of Coll. Thomas Wallingford acknowledges himself to be in fault & declares that he had no designs to affront the House nor Coll. Wallingford & praying the forgiveness and Col. Wallingford declared himself to be satisfied.

Ordered that he be dismissed paying costs.

Mr. Secretary brought down a written message from his Exc^{y} wch was read & Mr. Speaker Rogers & Mr. Hen. Sherburne jun. appointed to prepare an answer to the s^{d} message.

Governor's Message.

[Copied from MS. "Gov^rs Messages," in Secretary's office, Vol. I, p. 341.]

Gentlemen of the Assembly

Your Message of this day is not the first instance wherein you have trifled with the prerogative & Royal orders laid before you, treated the King's Governor in terms unworthy to be repeated from the Chair, and in language unbecoming an address to an Inferior.

Indignitys of this nature can never reach me, but must centre on their Authors. But it gives me the greatest concern that the Council office must bear the Records of your conduct herein, which must appear before nicer Judges than I pretend to be.

I endeavor to persuade myself that these Messages may be calculated by some, but can't be the genuine sentiments of the whole House, who I flatter myself would have been disposed to treat the King's Governor with more decency and greater Respect, had they been fully apprised of the diction and Maturely deliberated on the Materials they were built with.

I have with great Industry attended yesterday & to day for a resolve of your House on his Majesty's orders in Council of the 6th of Sept. respecting Fort Dummer, which if you finish the men of war being in Port I shall have the pleasure to transmit to his Majesty.

You have now time to save the most valuable part of this Province, which if lost by your neglect, in refusing now to obey his Majesty's Commands, I am clear of this charge and the blame must be wholly with you.

B. WENTWORTH.

Council chamber
in Portsm^o 3^d April, 1745.

Mr. Secretary came & adjourned ye Genl Assembly to Monday 10 o'clock, by order of his Exc^y.

Monday, April ye 8th 1745. Met according to adjournment. The Com^tee appointed to prepare an answer to his Exc^y message of ye 3^d curr^t bring an answer prepared into the House, wch is read in the House—as on file.

Voted, That it be sent up & a copy kept on file or entered on ye Journal.

Answer of the House, &c.

[Copied from MS. "Gov^rs Messages," in Secretary's office, p. 343.]

Province of N. Hamp^r

In the House of Representatives, April 8th, 1745.

Voted, That the following Message be sent up In answer to his Excellencys Message of ye 3^d curr^t.

May it Please your Excellency,

Your Excellency's last message to us of ye 3^d Inst. containing very severe tho' groundless Reflections on this House, we trust your Excellency will not take amiss that we vindicate ourselves therefrom. Having found by our own experience, in the little time we have been concern'd with the Publick affairs, the Inconvenience of hurrying over things of Importance, & this of Fort Dummer being far from a trifling affair, we thought it highly proper to Defer for some time coming to a Resolve upon it. How the Prerogative is concerned

in this affair, we don't so throughly understand. But as to the Royal orders Directed (not to us) to your Excellency, *forthwith* to move the Assembly, &c. We were so far from trifling with them, as your Excellency is pleased to term it, that we took the only possible method we could think of to pay them a proper Respect; for, that supporting Fort Dummer would be attended with a very great charge, was obvious at the first view. But we could not so easily discern the advantages that would arise therefrom, nor how a Fort so situated would be of any, the least service to our Frontiers; Had we therefore Determined while things appeared in this Light, must it not necessarily have been in the Negative? But because we know not but that there might sufficient reasons appear hereafter, to Determine us another way, & because we tho't it would be shewing a greater Regard to what came Recommended from his Majesty, therefore we determined to defer coming to a final Resolution for some farther time. This being the conduct of the House in this affair, & the Royal orders having been so long in your Excellencys hands, notwithstanding you are therein directed *forthwith* to move the Assembly &c. & notwithstanding there were so many opportunitys for it in the whole month of March; we are very free to Leave it to those nicer Judges your Excellency referrs to, to Determine to whom the Reflection of trifling properly belongs. Under this head we only farther add, that altho' your Excellency is pleased to say that this is not the first instance &c. Yet as your Excellency has mentioned no other & we know of none at all, we confine our answer to this.

The next thing your Excellency thinks proper to animadvert upon is the Terms & Language made use of in our last Message, & very indecent they must have been to deserve the gross Reflections your Excellency has cast upon them: But inasmuch as your Excellency has not tho't proper to descend to particulars, we can only say that on a review of our said message, we have not as yet been able to find out what it is your Excellency refers to, possibly the subject matter of said message may be desagreeable to your Excellency, & by that means the terms Language or Diction (as your Excellency Pleases to call it) may appear so. Upon this supposition we take leave to observe to your Excellency, that it always has been the professed & (as far as we could Judge y^e^) real Determination of the whole House, to treat your Excellency with all proper Decency & Respect. But this notwithstanding, we think ourselves at Liberty fully & Freely to Remonstrate ag^st^ any part of your Excellency's publick conduct, which we apprehend affects the Privileges of the House or the People we represent: In doing of which we shall not think ourselves obliged to use the Language of Slaves to an arbitrary Lord, But that of Freemen, & the Representatives of Free men, to one of the King's Governors, who however much he may be exalted above us by the Honour he receives from his Majesty's Commission, is yet liable to mistakes & Errors in his conduct & may do wrong tho' his Royal master cannot.

In another part of your Excellency's message you intimate that the messages sent up to your Excellency are not the genuine sentiments of the House — a Reflection very severe & ungrounded. But inasmuch as we fully join with your Excellency in that part of your message wherein you signify to us that any Indecency in Language or Behavior centers on its author, we shall say no more on this head, but that we are so fully persuaded of our Innocency, The Unjustness of your Excellency's Reflections on us & the reason we have to complain of your Excellency's behaviour to us, that we are willing to be at the Expence of printing the whole Transactions of this House or that part only which relates to Fort Dummer, if your Excellency should choose it, & if not we are content to omit publishing any thing, unless it should hereafter become necessary for our own vindication, in which case we hope to be Excused tho' it should be contrary to your Excellency's Inclinaation.

Your Excellency towards the latter part of your last message, Informs us that you have with great Industry attended yesterday & to day for a Resolve &c. The plain English of which is, (for in our own vindication we must speak it) that we have had about 5 or 6 hours to determine on so weighty an affair, & in the mean time three of your Messages urging our coming to a

Resolution upon it, that your Excellency might send the same by the Fleet, part of which was under sail, and the man of Warr Expecting them, Ready to Leave the Coast at the very time some of the messages were sent. This is one among other Instances we might mention, wherein your Excellency's conduct towards us is matter of just complaint, & the rather, inasmuch as it is plain to us, that our most Gracious Sovereign, always tender of the privileges of his subjects, ever designed to allow us sufficient time to consider of this matter, as appears by his Directing your Excellency *forthwith* to propose it to our consideration, and his Excellency Governor Shirley, to move the Assembly of that Province to provide for the said Fort, till the Assembly of this had Resolved what to do.

In the last Paragraph of your Excellency's message there seems to be an intimation that your Excellency is acquainted with the meaning of the words (proper District) in the Royal Orders of September ye 6th past. If so we should be glad your Excellency would be pleased to inform us, & by that means, what is meant by the most valuable part of this Province, & if your Excellency would also please to let us know what advantage the supporting that Fort would be to our Frontiers, or give any light Relating to the affair before us, & attend with a little patience, if we can't see things so quick as some others; we should hereby be the better Enabled to pass a right Judgment in an affair of such Importance. But in the mean time must say, that if any part of the Province should be lost for want of a Resolve of this House, to go by the Fleet now in Port waiting for a wind, the Blame must not lay on this House but must wholly lay where his Majesty's Royal Order in Council Lay at the month of March.

N. Rogers, Speaker.

Voted, Mr. Meshech Wear & Eleazer Russell Esq. be a Com^tee to joyn with Mr. Henry Sherburne jun. to print & publish the whole or any part of the Journals of this House which they think proper. The House adjourn'd till tomorrow half past nine.

Letter of Andrew Wiggin, Esq. to the Assembly, April 8th 1745.

[Copied from MS. Corr. in Secretary's office, Vol I, p. 233.]

To the Honble Assembly of this Province of New Hampshire now convened.

Worthy Gentlemen,

I have bin informed that the Massachusets has complained to the King against this Province for that we don't take care of Fort Dummer, to defend it against the French, and the King has sent to the Government of this Province speedily to take said Fort under their protection or he will give it to the Massachusetts with a considerable quantity of Land with it; and I am also inform'd that you are Inclin'd to give it up becaus of the great distance it is from here, and the great charge it will be to keep it. Now Gentilmen, I pray you to consider the consequences of giving it up as well as the charge of keeping it.

In the furst place it will be very Dishonorable to the Province and a slite of the King's favour altar ten yeares hard strugel with the Expence of nere Eight thousand pounds, and nere five hundred pounds more for running the Lines. And again, call to mind that the charge above said is laid on that part that was recovered from them as well as the other part of the Province, and they pay'd nere a thousand pounds last year, and now the Line is settled and all that peopel conform to the Government of this Province and have takened of the Loane money which may be dificult recovering if the Line be altar'd: And again, thirdly, you have past a bill for the Emitting fifty two

thousand pounds (1) old currence to be paid in again sum time hence, which that part that you will Loose if you give up Fort Dummer would have pay'd twelve thousand pounds of it for I am Intiarly of that mind and it neaturely follows, that if you refuse that forte and the King returns that forte to them again that the Masechusetts will plead to have that returned to them again that the Line toock from them to support the charge of the Fort with — which you have in your power to convert the same way if you don't give it out of your hands — and now the Governars Salary is seteled, and if you give away half the Province he nor any that shall com aftar wont abeat (2) one mit but will return on you that it is your own act — now pray Gentilmen, Consider what you Do in that affair, for what you Dou in giving it up will be binding forever, and it will be out of the power of the rising Generation to helpe themselves — for I am fully of the mind that that part of the Province you will Luse if you give up that fort, if it be peace in twenty years will be biger than all the province besides is now. Gentilmen, it is Daingers refusing the Kings offer, for we Cant make a bargain with him and say we will take this and refus that but he can say if you will not take it as I offer, you shall to your old bounds and it will be in vain for us or ours to try to helpe ourselves here aftar. I am of the mind that what we have recovered from them if it be all *converted* to that use will very neere pay the charge of that forte, and we are in hopes the war will be over in a little time and then the charge Sese Pray pardon the boldnes of your most Humble Sarvant.

Andr Wiggin.

Apl ye 8th 1745.

Tuesday, April the 9th 1745. The House met according to adjournm[t] and the above voted message [Answer to the Govrs message] sent up to his Excy by Mr. Frost & Mr. Lock.

Voted, That Mr. Gideons go to the Secretary for a copy of the vote or act whereby James Clarkson Esq. &c. were appointed a Comtee to Repair Fort Wm & Mary agreeable to ye act for Emitting £25000.

[p. 162.] Voted That the following Muster Roll of Capt. Jeremiah Clough (3) be allowed and paid out of the money in the Treasury for that end, viz.

6 men 3 months, from 26th 7hr to ye 18th Decr 1744,	
wages	£24: 0: 0
ye victuals	18: 18: 0
Also another acct for dyetg 7 other men since June last	5: 12: 6

Mr. Secretary came down & his Excy sent to know if the House had any thing ready to come up this forenoon. Mr. Wear sent up to inform his Excy that the House had nothing ready to send up this forenoon.

The House adjourn'd till three of the clock in the afternoon.

P. M. Met according to adjournment. Inasmuch as the Report of the Comtee of Muster Rolls has not been sent into this House by the Honble Council,

(1) £52,000 old Tenor is equal to £13,000, new Tenor.—Ed.

(2) *Abate?*

(3) See Potter's Mil. Hist. N. H., Adj. Gen. Report, 1866, Vol. II, p. 56.—Ed.

Voted, That Coll. Gilman & Mr. Wear Examine into the Grants of men in ye year past & compare them with the Muster Rolls & make Report to this House to morrow morning, how far they agree.

Whereas it appears to this House that James Clarkson, Esq. and Mr. Jotham Odiorn had the Inspection and management of the Repairing his Maj^tys Fort William & Mary & whereas George Jeffrey, Theod. Atkinson, James Clarkson, Esqs. & Mr. Jotham Odiorn were appointed a Com^tee to Inspect & manage the further Repairs of s^d Fort according to a clause in the act of £25000 loan,

Voted that the s^d James Clarkson Esq. & Mr. Jotham Odiorn & the s^d Com^tee be desired to make Report unto the Genl Assembly as soon as may be of what they have done towards the Repairing of s^d Fort & lay their acc^ts before this House. Sent up for concurrence, Wednesday morning, Ap. ye 10th by Mr. Gilman & Mr. Levit. Adjourned till to morrow nine o'clock.

Wednesday April ye 10th 1745, Met according to adjournm^t. Coll. Gilman & Mr. Wear who were appointed last night to inquire into the grants of men & Report, as on file:

[p. 163.] That the Muster Rolls (exclusive of what men have been kept at Fort Wm. & Mary) exceed the grants 625 days, & that there has been kept out on ye Western side of Merrimack River men to ye am^o of 2050 days more than they could find grants for.

Voted That the s^d Report be Received & accepted.

Samuel Palmer Esq. brings an acc^t into the House for 12 1-2 bb. powder supply'd ye Prov: & dd Coll. Wingat, am^o to 1: 17: 6

Voted, That the s^d acc^t be allowed & paid out of the money in ye Treasury for defraying the charge of the Government. Sent up ye 12th by Mr. Fabyan & Lock.

The Secretary came into the House & said his Exc^y & the Council sent him to inform the House that the acc^t for Repairing of the Fort should be laid before the House in the afternoon.

Voted That Mr. Speaker Rogers, Mr. Wear, Mr. Sherburne, Mr. Gideons & Mr. Frost be a Com^tee to draw up a Resolution of this House on his Exc^ys message of ye 2^d currant wch was accompanied with a copy of his Maj^tys order Relating to Fort Dummer & his Exc^y Govr Shirley's letter of the 25th February & also to draw up & make a proper Representation thereof & address his Maj^ty thereon.

The Question being put in the House by yeas & nays whether this House will at present Receive & support Fort Dummer there were but two yeas, two in doubt, & Eleven nays.

The House adjourned for two hours.

P. M. Apr. 10: 1745.

Prov: N. Hamp^r. Whereas George Jaffrey, Theodore Atkinson, James Clarkson, Esqs. & Mr. Jotham Odiorne were appointed by the General Assembly to be a Committee to make further Repairs on his Majestys Fort William & Mary, agreeable to the clause in ye act for £25000 Loan, in which Act £2500 part of the Interest of said sum is appropriated to that use to be under the Inspection, management of such Committee or Committees as should be appointed by the General Assembly:

[P. 164.] Voted, That the money which shall be paid into the Treasury for Interest of the said sum of £25000 (His Excellency the Governors Salary & the money borrowed from other Funds being first paid) be applyed to the Repairs of his Majesty's Fort William & Mary agreeable to said act until the sum appropriated for that use be expended; That deducting what the said Committee have already expended for that use, the remainder of s^d sum of £2500 be paid into the said Committee's hands as it shall come into the Treasury, by his Excellency the Governor's warrant with advice of ye Council, to be by said Com^tee applyed to the use afores^d; That what is now in the Treasury of said Interest money be forthwith paid to said Committee as part of the said sum of Two thousand five hundred pounds & that the said Comm^tee do forthwith proceed to provide proper materials & make such Repairs on & in his Majestys Fort as they shall think necessary & convenient (agreeable to the afores^d act) for the Defence of this Province & the Better Receiv^g & Securing His Majesty's Royal Bounty of Stores which are soon Expected & that they be accomptable to the Genl Assembly for such sum or sums of money as they shall Receive from time to time & Render their acc^ts when Required.

Sent up for concurrence by Mr. Fabyan & Mr. Tompson. Adjourned till to morrow nine o'clock.

Thursday April 11th 1745. Met according to adjournment.

Voted, nemine contradicente, that his Exc^y the Governour be desired to direct the Secretary to lay a copy of his Exc^ys Commission before this House as soon as may be.

Sent up by Mr. Frost & Mr. Lock.

Whereas there have been several allowances made and others applied for to this House for the support & pay of the Indian Christo (1) & this House being apprehensive that it may be of

(1) Christo was supposed to be a friendly Indian. He had resided at Amoskeag (now Manchester), but being suspected of joining with his countrymen in the fight at Pigwacket, certain people from Haverhill and Dunstable came to Amoskeag and, not finding Christo at home, burned his wigwam. After this Christo became a wanderer, occasionally employed by the government, and then again taking part with his countrymen. He went to St. Francis and took part with the Indians in depredations at Epsom and Canterbury. He was alive in 1757, and probably died at St. Francis. His wigwam was upon a small brook upon the east side of the Merrimack, just below the Falls of Amoskeag.—Ed. [*See Potter's Hist. of Manchester, pp.* 98–100; *also, Mil. Hist., Vol. II, pp.* 56, 57.]

very dangerous consequence to help him any longer at Canterbury now the season of the year advances when if this Christo has any Treacherous designs to perpetrate he may be Instrumental of destroying all the people where he is,

Voted That this Province be not at any further charge about the support & pay of the s^d^ Christo unless he be kept at his Majesty's Fort William & Mary.

[P. 165.] Mr. Solly Brought down several Petitions, viz. Daniel Meaders Petition, Stoodly & Whiddens, Do. Rindge's Do. Greenleaf, Do. Barthricks, Do.

The Sec^y^ came down & s^d^ that his Exc^y^ did not propose that the Genl Assembly should sit to-morrow being Good Fryday, unless there was something Extraordinary to require it. If there was any thing Extraordinary to Require ye sitting, they should sit.

Voted, That the following message be sent up in answer to his Exc^ys^ verbal message by the Secretary as above.

May it Please your Excy—The House have the affair of Fort Dummer under consideration, & for want of some further light wch the House hope to have (partly from your Exc^y^ in answer to ye House's messages) v^ee^ think we shall not be able to come to a Resolution about it to day. Sent u^s^ in writing by Mr. Lock & Mr. Tompson.

Adjourned till three of the clock, by order of the Speaker.

Met according to adjournment, P. M. Ap. 11th.

The Secretary came down to know what further Light the House Expec^d^ about Fort Dummer from his Exc^y^. The Speaker told him any that his Exc^y^ would be pleas'd to give; That his Exc^y^ intimated in his message that he knew what was ment in his Maj^tys^ order by the words *proper District*, wch the House would be glad to know also, that they pray'd to have a copy his Com^n^ &c.

Mr. Secretary came down again & s^d^ his Exc^y^ understood by the papers that the District would be from the W^t^ Line to Contocooke, wch would be ab^t^ 50 mile square & that his Exc^y^ was preparing a copy of the Com^n^ to send down.

Voted, That his Exc^y^ ye Capt. General be desired to Inlist or Impress sixty five good effective men to be by him imployed in his Majestys service for two months, at twenty five shillings pr month; twenty of the s^d^ sixty five men to be posted at his Maj^tys^ Fort William & Mary, thirty of the s^d^ sixty five men to be imployed for the guarding of the Frontiers of Rochester & from thence to the River Merimack, & the Remainder of ye 65 men being fifteen, to scout on the Frontiers on ye west side of ye river Merimack. Adjourned till to morrow nine clock.

[P. 166.] Fryday April ye 12th 1745. Met according to adjournment. Several debates in the House on his Excy^s message with Resp^t to Fort Dummer, but for want of a copy of his Exc^ys Comm^n the House proceed to other business.

Voted, That Philip Conner be allowed thirty five shillings in full for accompt for carrying Expresses to sund^y places as by the sheriff certificate appears, to be paid out of the money in the Treasury, (by y^e £13000 act) for present & unforeseen charges of the warr. Sent up for concurrence by Mr. Fabyan & Mr. Lock.

Voted That every Express to Boston & back again on his Maj^tys service be allowed fifty shillings & no more upon bringing a Certificate from the Sheriff or Sec^y of their being so employed.

Voted, That there be allowed & paid out of the Publick Treasury to every one of his Maj^tys Council for this Province & to every member of the House of Representatives for each day they sit in General Assembly, the same allowance that was made the Council & Representatives in a vote of the Genl Assembly passed & assented to by his Excellency the Governor, March 27th 1742, for their service ye three last years past, the time to commence from ye 24th day of Jany last past being the first day of the sitting of this present Assembly, & that each Councillor & Representative be paid out of the Publick Treasury, for their Travail from & to their respective places of abode in coming to & going from the Genl Assembly, on every adjournment, Prorogation, or Dissolution, three pence pr mile, except it be of such short adjournment as are from day to day or from Saturday to Monday, & that the afores^d allowance be in full for their service in Genl Assembly & Travail as afores^d any Law usage or custom to the contrary thereof notwithstanding, The Councillors to be paid out of the Treasury on Certificate from ye Secretary, & the Representatives to be p^d likewise out of the Publick Treasury on Certificate from ye Clerk of the Assembly, And that the Clerk of the Assembly for the time being be p^d three shillings pr day for each day he shall attend on ye Assembly, for his service as Clerk, to be p^d out of the Treasury as afores^d, The payments to continue for three years from the first day of this present session & no longer. Sent up for concurrence in the afternoon by Capt. Gilman & Mr. Wear. Adjourned till three.

Fryday afternoon, Ap. 12, 1745. Met according to adjourn^t all but ye Speaker, & he being on ye Business of the House, Voted, That Maj. Stevens be Speaker pro tempore.

[P. 167.] The Secretary bringing his acc^t into the House for paper &c. for the use of the Province, amoun^g to £4: 18: 0

Voted, That the s^d acc^t be allowed & paid out of the money in the Treasury for Contingencies. Sent up for concurrence by Mr. Fabyan & Lock.

The Petition of Samuel Bathrick a poor prisoner for debt (in forma Pauperis) having been read & considered on,

Voted, That the prayer of the s^d Petition be granted & that a

Law be made for the Relief of poor Prisoners for Debt, & that Mr. Meshech Wear & Capt. Israel Gilman be a Com^{tee} of this House to joyn with such as may be appointed by the Honble Council to draw up an act accordingly.

The Petition of Ann Rindge being read, Voted, That the Petitioner serve the children that are of age and the Guardians to those that are under age with a copy of the Petition and notify them to appear before the General Assembly on the second day of the setting thereof after the 13th day of April Instant and shew cause if any they have why the prayer of the s^{d} Petition should not be granted.

Sent up for concurrence on Saturday morning, the Council being gone before the votes above were finished.

Adjourned to morrow nine clock.

Saturday, Ap. ye 13th 1745. Met according to adjournm^{t}.

Benjamin Pitman send^{g} his acc^{t} for Expresses into the House, also his acc^{t} for keeping an Indian, Voted That he be allowed seven pounds, 1s 3d in full for s^{d} acc^{t} for Expresses to be paid out of the money in the Treasury for incidental charges of the warr, by the £13000 act £7: 1: 3

Also that he be paid out of the Treas^{y} of ye same money in full for his acc^{t} for keep^{g} ye Indian & to this day twelve shillings & sixpence . . 12: 6

7: 13: 9

Sent up for concurrence by Mr. Fabyan & Lock.

[p. 168.] Samuel Gerrish sending his acc^{t} into the House for going an Express to Boston & back again, Voted, That he be allowed fifty shillings in full for it, £2: 10: 0 to be paid out of the money in the Treasury by the £13000 act for incident charges of the Warr. Sent up for concurrence by Mr. Frost & Levit.

Charles *Hight?* brought his Muster Roll into this House for 7 men three months to ye 29th Augt last (& made oath to the Truth of it), amounting to £26: 5: 0.

Voted That he be allowed and paid out of the money in the Publick Treasury by last years Tax for the support of the Government. Sent up for concurrence by Mr. Lock & Mr. Philbrook.

The Com^{tee} appointed to draw the Resolutions of this House &c. on his Exc^{y} message relating to Fort Dummer bring a draft of a Resolution into the House wch is read, & while the House were considering the Secretary brought down the vote for 65 men to be Recons^{d}.

Voted, That it be sent up again with the following vote:

Voted That every leading officer of twenty men & upwards to be imployed in his Maj^{tys} service ye insuing year be allowed fifty

shillings pr month & that every sergeant be allowed thirty-two shillings pr month.

Sent up for concurrence by Mr. Frost & Gilman.

Mr. Downing & Mr. Solly came into the House & said his Exc^{y} sent them to see if the House had any thing to send up to day—particularly about Fort Dummer.

Voted, That the following message be sent up to his Exc^{y} in answer to his Exc^{ys} message by Mr. Downing & Mr. Solly, viz.

May it Please your Excy

The House have the affair of Fort Dummer now under consideration, but for want of a copy of y^{r} Excell^{ys} Commisssion from which they hoped to have some light have not yet come to a Resolution on that point.

The Sec^{y} came down & s^{d} His Exc^{y} ordered him to adjourn the Genl Assemb. to Tuesday ye 30th of this month.

Adjourned to Tuesday ye 30th of April.

[p. 172.] *Names of Members of the House.*

Portsmouth	Nathl Rogers, Esq. Speaker Eleazer Russell, Esq. Mr. Henry Sherburne, jun
Dover	Thomas Millet, Esq. Capt. John Wingate Thos Wallingford, Esq
Hampton	Samuel Palmer, Esq. Mr. Joseph Philbrook Mr. Mesheech Wear
Exeter	Col. Peter Gilman, Esq Mr. Zebulon Gideons
New Castle,	William Frost, Esq.
Kingston	Maj^{r} Eben^{r} Stevens, Esq.
Stretham	Moses Leavitt, Esq.
Newington	John Fabyan, Esq.
Rye	Mr. Jonathan Lock
Greenland	Clem^{t} March, Esq.
Durham	Capt. Jon^{a} Thomson
New Market	Capt. Israel Gilman.

Letter from Col. Joseph Blanchard, of Dunstable.

[Copied from MS. Corr. in Secretary's office, Vol. I, p. 235.]

Prov. of New Hamp^{r}

To the Honble House of Representatives at Portsmouth, &c.

Gentlemen, Pr Coll. Rolfe I am informed That there was no particular charge made in my Muster Role for ye subsistance of ye souldiers the last

Summer in my Regiment, if I took no notice in the muster Role of it, yet as I certified the time they were in the service, subsistance must be of consequence, & to ye particular persons to whome due, (as there was no Comissary Stores to Deliver) would occasion a tedious acc^t but I expected ye allowance ye Government had granted, viz. 21*s* pr week old Tenour, on which Encouragement ye men was subsisted, therefore pray the muster role may pass in full, if that should be tho't an omission at the time of attesting, and as I well Remember ye Honble House when I was before them on y^t account Enquired into this affair & then informed the circumstances as above, & tho't it had bin to satisfaction. With my Duty to the Honble House, am y^r most obedient Hum. Servt.

Joseph Blanchard.

To Nathl Rogers Speaker to comunicated,
Dunstable April 22^d 1745.

[p. 175.] Province of New Hamp^r.

At a meeting of ye General Assembly at Portsmouth in ye afores^d Province on ye Tuesday the 30th of April 1745, by adjournment from ye 13th curr^t.

The House met according to adjournment & after debating a considerable time upon the affair of Fort Dummer,

Voted, That Mr. Stevens & Gideons wait upon his Exc^y & inform him that there is a House.

Voted, That Mr. Wear & Mr. Philbrook go up to the board & enquire whether the Honble Council have passed upón the Houses vote about choosing a Recorder, y^r vote for Establishing the wages of the Honble Council & the House of Representatives, & a Special Act Enabling the Judge of Probates to settle the Estates of Saml & Jo. Penhallow, decd.

Mr. Secretary Atkinson brought down a Petition of sundry women & delivered to the Speaker & then asked him whether it was any particular paragraph of his Exc^ys Commission that the House wanted. Mr. Speaker told him it was a copy of his Exc^ys Commission, that the House wanted. Then the Secretary presented a paper & said it was a copy of his Exc^ys Com^n that it was his Exc^ys own hand writing except the latter part wch was his Exc^ys son's writing, but y^t it was not attested. Mr. Speaker told him that it was an attested Copy of his Exc^ys Commission that the House wanted, upon which Mr. Secretary withdrew ye s^d Paper, & the House adjourned till to morrow nine of the clock.

[p. 176.] Wednesday May ye 1st 1745. An act in addition to an Act Entitled an Act for the settlement & Distribution of the Estates of Intestates &c. being brought into the House is read the first time.

The Secretary came down & brought an attested copy of his Exc^ys Commission & said that it was the copy wch was to be lodged in his office, but he'd lend it to the House during this Ses-

sion & when he was able would give a copy to be lodged in ye House's Records if desired, & then told the House that his year was up & prayed that they would consider about a further allowance for his Salary, & then Informed the House that he was directed to tell them that the Honble Council had the votes & act inquired after yesterday under consideration.

Whereas by the vote of the General Assembly for enlisting & paying the voluntiers for the Expedition against Louisburg the s^d voluntiers were to be provided for but four months, & whereas it appears to this House that in all probability they will be longer on the Expedition:

Voted, That the Com^tee for managing the affairs relating to the Expedition forthwith make provision for one month more which makes the whole to be five months from ye time of ye Enlistment & that if the money appropriated for the use of the Expedition should not be sufficient to defray the charge thereof, that money be paid to the Com^tee out of the money in the Treasury for further carrying on ye warr, & defraying the incident charges thereof, to enable them to make ye s^d Provision.

Sent up for concurrence by Mr. Levit & Mr. Lock.

[p. 177.] Wednesday afternoon—Met according to adjournm^t.

Voted, That there be paid out of the money in the Publick Treasury for payment of officers & soldiers wages on the Expedition against Louisburgh, to each voluntier in that service of this Government on s^d Expedition, his wife or legal Representative Twenty shillings in part of his wages. Sent up for concurrence by Mr. March & Capt. Tompson.

His Excell^y the Governor's Com^n Read in the House, & then the House adjourned till to morrow half past nine.

Thursday, May ye 2^d 1745. A letter from Coll. Saml Moor to the Com^tee of warr dated ye 9th of Aprill at Canso brought in to the House & read.

John Downing, Esq. brought down a Petition of Benj^a Holt in behalf of the Inhabitants of Suncook praying for Thirty or forty soldiers to be posted at s^d plantation &c. also

A Petition of Benjamin Rolfe in behalf of the Inhabitants of the Town of Rumford praying for a constant & reasonable aid of men, stores, &c.

[The following is a copy of the Petition presented by Coll. Rolfe, in behalf of the Inhabitants of Rumford, now Concord.—Ed.]

To his Excellency Benning Wentworth, Esqr. Capt. General and Governor in chief in and over his Majesty's Province of New Hampshire in New England, the Honble the Council and House of Representatives in General Court convened.

The Memorial and Petition of Benjamin Rolfe in the Name & Behalf of the Inhabitants of the Town of Rumford in said Province—*Humbly sheweth,*

That the said Town has been settled by his Majesty's subjects about Eighteen years, and a Gospel Minister ordained there upwards of Fourteen. That the settlers had an Eye at enlarging his Majesty's Dominions, by going into the Wilderness, as well as their own Interest: That many Thousand Pounds have been spent in clearing and cultivating the Lands there, and many more in erecting Mansion Houses, Fortifications, Out Houses, Barns and Fences: That the Buildings are mostly compact and properly form'd for Defence, and well situated for a Barrier, being on Merrimack River about a Days march below the confluence of Winipishoky and Pemissawasset Rivers both which are main gangways of the Canadians to the Frontiers of this Province, and within a weeks march at farthest from a very strong Fort built within these few years by the French at Crown Point which will be a place of constant Retreat and Resort for the French and Indians in all their Expeditions against the English settlements: That the breaking up of the settlement will not only ruin the Memorialists, but in their humble opinion greatly disserve his Majestys Interest by encouraging his Enemies to encroach on his direlict Dominions, and be also hurtful to the Province by contracting its borders and drawing the war nearer to the Capital: That it was by a long and importunate Intercession of this Province and not of the Memorialists seeking that they are cast under the immediate care of this Government, which they apprehend gives them so much the better Right to its Protection: That as War has been declared against France for some time and a Rupture with the Indians has been hourly expected, many of the Inhabitants of said Town, by Reason of their being so much exposed to imminent Danger from their Enemies, have already moved from said Town, and the season of the year being such as to give the Indians an opportunity of disturbing the Frontiers, and the Dutch Mohawks having lately given occasion to fear that they would joyn in a War against his Majesty's settlements as mentioned in some late News Papers, your Memorialists unless they have speedy help will be soon obliged to evacuate said Town, how disserviceable so ever it may be to the Crown, dishonourable to the Government, hurtful to the Province and ruinous to themselves.

Wherefore your Memorialists most humbly supplicate your Excellency, the Honourable Council and House of Representatives to take the Premises into your wise and mature consideration and to grant them such constant and seasonable aids both with Respect to men and Military stores as may enable them to maintain his Majesty's Dominions in so well situated a Barrier, and so antient and well regulated a settlement, as well as to secure their own Lives and Fortunes against the Ravage and Devastations of a Blood-thirsty and Mercyliss Enemy, and your Memorialists as in Duty bound will ever pray.

Benjamin Rolfe.

Portsmouth, April ye 30th 1745.

The said Petitions are read & ordered that the s^d Holt & Rolf be sent for into the House who being sent for came into the House & Informed them of the State of ye s^d Towns & Coll. Rolf said he thought that 250 men would be necessary to defend & protect ye Frontier between Conn^t & Merrimack River & the s^d Rivers, & that he thought that less than 40 would not be sufficient for Rumford, & if y^r should be open war with the Indians more would be wanted.

The Secretary came down & brought an Act for relief of poor prisoners for Debt wch was delivered to the Com^tee to examine.

[P. 178.] Theo. Atkinson Esq. one of the Com^tee for letting out the £25000 came into the House & moved that an Act should be passed to enable the Com^tee more easily to oblige the delinquents to pay in the Interest, upon wch ye Attorney General was sent for & directed to prepare a bill.

The Report of the Com^{tee} for drawing up a Resolution on ye affair of Fort Dummer was read & then the House adjourned till three of the clock.

Met according to adjournment. Mr. Speaker Rogers being absent on the Business of the House

Voted That Ebenezer Stevens Esq. be Speaker of the House pro tempore.

An Act in addition to an act entitled an Act for the settlement & distribution of the Estate of Intestates, &c. is read the second time.

The Act for the Relief of poor prisoners for Debt brought into the House & read the first time.

Ordered That Mr. Wear & Philbrook go up to the Honble Council & Inquire whether they have passed upon ye House vote about ye Record^{r} & the other vote & act Inquired after yesterday.

Mr. Secretary came down & s^{d} his Exc^{y} directed him to lay three papers before the House viz. (A letter from General Pepperell of ye 10th of April: a Letter from Col. Moor of the 6th of Aprill, with a copy of his orders Rec^{d} from the General) to be read & Returned again. The said papers are read.

Gen. Pepperill's Letter (1).

[Copied from MS. Corr. in Secretary's office, p. 261.]

To his Excellency Benning Wentworth, Esq. pr. private, Capt. Fletcher's prize, via Boston, April 10th 1745, & copy by ye Brig^{t}.

May it Please your Excellency

Your several favours of 15th, 19th, 20th & 21st Inst I received, and observe the contents, your Recommendation of the Gentlemen mentioned therein, will be sufficient to entitle them to any favours in my power. We are waiting here for favourable Wind & weather to proceed to Cape Breton. The Troops that are here are in general in Health, some of our vessels that have the warlike Stores, on board, are not yet arrived here. I have heard that they are in Country harbour. I have sent vessels to convoy them here. The wind has been Easterly for some time and continues so, and if by reason of the wind, we should be detain'd here, provisions and necessaries of life may be wanted both in the Fleet & Army which, hope the several Governments will have thoughts of, which if in season we are supplied with & can have some men of War to strengthen our Naval Force, I hope by the blessing of God, that people who desire to Distress and Destroy our Country will be subdued. I sincerely wish y^{r} Excellency Health and prosperity, and am wth Due Respect y^{r} Excell^{ys} most obed^{t} & affe^{c} H. serv^{t}.

Wm. Pepperell.

On board the Shirley Galley, Canso, April 10, 1745.
His Excellency B. Wentworth, Esq.

Coll. Downing & Mr. Secretary came down & said that in answer to ye House's message by Mr. Wear &c. The act enabling the Judge of Probates to settle the estate of Saml & Jo. Penhallow [P. 179.] was agreeable to the Council with a small amendment wch was writ on a Mem^{o} wch was delivered with the Act.

(1) Col. Moor's letter cannot now be found.—Ed.

That the vote about choosing a Recorder was nonconcurred.

That the vote for Establishing the wages of the Honble Council & this House was unanimously non concurred.

The Attorney General brought an Act into the House in addition to an Act Entitled an Act for emitting the sum of £25,000 wch was read & then the House adjourned till to morrow nine clock.

Fryday, May ye 3^{d} 1745. An act in addition to an act entitled an Act for the settlement of Insolvent Estates &c. read the third time.

The special Act for enabling the Judge of Probates to settle ye Estate of Sam^{u} & John Penhallow passed with the amendment (ye words) [that have or may be made] being interlined in the latter part of ye act & the act dated this day & sent up again for concurrence by Mr. Thompson & Lock.

Then the House proceeded on ye affair of Fort Dummer, & after considerable debate & mature consideration & Deliberation, The Question was put Whether this House will make any grant for the support & maintainance of Fort Dummer. It passed in ye negative by a great majority & ordered that the names of the members present be entered & who were for Rec^{g} of it. The members present are as follows:

	For not Receiving Fort Dummer.	For Recv^{g} of Fort Dummer.
[p. 180.] Mr. Speaker Rogers		Thomas Wallingford, Esq.
Eleazer Russell, Esq.		Sam^{u} Palmer, Esq.
Henry Sherburne, jun.		Clement March, Esq.
Thomas Millet, Esq.		Maj. Eben^{r} Stevens, Esq.
Capt. John Wingate		Moses Levitt, Esq.
Mr. Joseph Philbrook		Capt. Jon. Thompson.
Mr. Meshech Wear		
Coll. Peter Gillman		
Mr. Zebulon Gideons		
William Frost, Esq.		
Mr. Jonathan Lock		
John Fabyan, Esq.		

Whereupon it is Voted That the following vote & Resolution of this House be sent up to his Exc^{y} in answer to his Exc^{ys} message by Geo. Jaffrey Esq. on ye 2^{d} of April past, & his Exc^{ys} several other messages Relating to Fort Dummer.

Whereas his Exc^{y} ye Govr was pleased on the 2^{d} of Ap. past to lay before the Genl Assembly a copy of his Maj^{tys} order, dated at Kensington the 6th Sept. 1744, relating to Fort Dummer, with a Letter from his Exc^{y} Govr Shirley in consequence thereof, dated Feby 25th whereby it appears to be his Majesty's pleasure that the s^{d} Fort should be supported, & that the Govr of N. Hamp^{r} should *forthwith* move the Assembly to make suitable Provision for that service, &c. the House imediately took the affair of s^{d} Fort under their consideration, & having by all opportunities ever since made what en-

quiries they could into the situation & circumstances thereof, upon mature Deliberation thereon, being humbly of opinion that the s^d^ Royall order was grounded on a misrepresentation of the situation of s^d^ Fort, which being about five miles North of the Massachusetts north boundary line, upon ye west side (1) of Connecticut River suited very well when first built for a protection to their *then* outmost settlements, to accommodate their marching scouts [P. 181.] & be a place of Retreat & Resort for them, & also for a Trading House with the Indians: But is full fifty miles distant from the nearest of our Frontiers that were settled in consequence of any grant from the Government of N. Hamp^r^ with the two great Rivers of Merrimack & Connecticut between them, & quite out of ye comon Route of ye Indians when they come to attack us; and inasmuch as ye s^d^ Fort being almost in the very south west corner of a number of Towns lately laid out & partly settled by the Massachusetts, between ye Rivers of Merrimack & Connecticut cannot be any protection to those infant settlements whose Northern line of about 35 miles in length from No. 4 (on Connecticut River about 25 north of Fort Dummer) over to Contoocook (on Merrimack River about 40 miles north of ye Line where it cuts ye s^d^ River) is their most exposed frontier. Forasmuch also as it plainly appears by the Royall order itself that the People of this Province have no right to the Land which by the Dividing Line *now* appears to be within this Province notwithstanding the plausible arguments heretofore made use of to induce them to be at the charge of settling the Line, viz. That the Land thereby comprehended within this Government & not before granted by the Govr & Council of this Province, would be theirs or else sold, at least so much of it as to defray the charge of s^d^ settlement. Furthermore whereas the yearly charge of maintaining fort Dumer (tho' no Protection to any of ye Towns within this Province except p'haps one or two granted by ye Massachusetts & bordering upon it) would be at a moderate computation, even in time of Peace, *double* ye usual annual charges of the Government for many years before it was under a Separate Govr & were the said Fort ever so well situated to answer the ends aforementioned, yet the circumstances of the Province are such by reason of the vast load of Debt contracted by ye settlement of ye Line, the apprehension of an Indian War and the great addition made to the Burthen we before laboured under by ye part we have in ye Expedition against Louisburg, besides the yearly support of Government, exclusive of the war, now more than *four times* what it was four years agone, That we are not able further to engage in any additional expence without ye utmost necessity should constrain us. Considering also that should we undertake to make Provision for s^d^ Fort it would probably be only an introduction to greater Expences: for if we should not at the same time make provision for the support of a much stronger and more conveniently situated Fort at No. 4 (2) on Connecticut River ab^t^ 25 miles north of Fort Dumer & also for the Protection of all the new settlements from Fort Dumer up Connecticut River to No. 4, & thence over to Contoocook, and for all the settlements between those lines & the Boundary line there would be matter for [P. 182.] new Remonstrances to be made against us which we have no reason to think the Massachusetts would neglect. Inasmuch also as there is no Danger that the s^d^ Fort or neighboring new settlements will want protection, it being the interest of ye Massachusetts who enjoy the Land & are a great & opulent people, to Defend them; & the greatest Reason they should do it, inasmuch as thereby they Defend their own proper frontier to which ye s^d^ Fort & new setttlements are a cover, And in addition to all this, forasmuch as we are already burthened to so great a Degree, we should be obliged to much greater expenses in case of an actuall war with the Indians, who in conjunction with ye French would probably put us to more charge than ever. These things being maturely considered by us according to the best of our Judgements together with the great Decay of Business both of Merchants & manufacturers or *Tradesmen* which is now almost ceased, although it is with ye utmost reluctance, that this Assembly sees a Recommendation from his

(1) In a note, p. 182, it is said, "situated on the *east* side," which is an error.—Ed.

(2) Charlestown, N. H.—Ed.

Majesty not in their Power to comply with, they yet hope to be excused in declaring that they look upon it to be their indispensable Duty to Resolve & it is accordingly,

Voted & Resolved, That the Assembly cannot make any Grant for the support & maintainance of Fort Dumer without betraying their Trust & *ruining many of their Principalls* by adding to their Burthen already almost insupportable and which ye House is firmly persuaded his most Gracious Majesty upon a fair Representation of the matter would neither expect nor desire to have done,—& therefore it is further voted, That his Majesty be humbly addressed by this House by way of Apology & Excuse, setting this affair in its true Light, and also representing any other matters that may be for the Honor & service of the Crown & for ye benefit of the Province (1).

And then the House adjourned to three of the clock in the afternoon.

Met in the afternoon, and while the above vote & Resolution were copying to send up to his Exc^y, the Secretary came into the House & said that he was directed by his Exc^y the Governour to Dissolve the General Assembly, & accordingly Declared that they were

DISSOLVED.

[p. 187.] Province of New Hamp^r } Anno Regni Regis Georgii Secundi, Magnæ Britanniæ, Franciæ & Hiberniæ, &c. Decimo octavo.

A Journal of the House of Representatives, at a General Assembly of his Maj^tys Province of New Hampshire in New England, began & held at Portsmouth in s^d Province, on Wednesday the fifth day of June Anno Dom: 1745.

The Honourable Theodore Atkinson, Esq. Richard Wibird & Samuel Smith, Esqs. came down from the Council board & acquainted the House that they were appointed by his Exc^y ye Governour to administer the oaths, & that it was his Exc^ys pleasure that the members of this House should take the oaths, make & subscribe the Declarations, take & subscribe the oaths of abjuration &c. before them s^rs & the Honble Theod. Atkinson, Esq. reading over the names of those whom he said the sheriff had Return'd, the oaths &c were taken & subscribed by the following persons, viz.

Nathl Rogers, Esq.	Portsm^o.
Elea^r Russell, Esq.	Portsm^o.
Mr. Henry Sherburne	Portsm^o.
Mr. John Sanborn	Hampton.
Samuel Palmer, Esq.	Hampton.
Mr. Meshech Wear—	of the Falls.

(1) The foregoing is copied from the *original*, which is preserved in MS. Corr. in Secretary's office, Vol. I, p. 237, but compared with the copy in "Journal of the House."—ED.

John Gage, Esq.
Col. Thos Wallingford, Esq } Dover.
Majr Thos Davis,
Coll. Peter Gillman, Esq. } Exeter.
Mr. Zebulon Gideons,
Thomas Bell, Esq. of New Castle.
Richd Jennens, Esq. of Rye.
Majr Ebenr Stevens, Esq. Kingston.
Moses Levit, Esq. of Stretham.
Capt. John Nutter, of Newington.
Clemt March, Esq. of Greenland.
Mr. Thos Young, of New Market.
Mr. Jonathan Chesley, of Durham.
John McMurphy, Esq. of Lonn Derry.

[p. 188.] The Honble Theod. Atkinson, Esq. came down from the Board & Informed the House his Excy Required them to proceed to the choice of a speaker & present him.

Thomas Millet, Esq. & Capt John Wingate being in the House, Represented that there was no return made by the Selectmen of Dover of Coll. Thomas Wallingford & John Gage Esq. & Majr Thomas Davis, being chosen to Represent the sd Town of Dover, and that four of the selectmen had made a Return on the precept for three other persons, upon which the House sent for the sheriff & desired him to lay the precept & what Returns were made to him before the House: upon wch he delivered the precept with another paper & said the reason why he return'd those persons was because he was at the Town meeting & thought the Gent he returned were the proper persons. Upon Examination of ye precept & other papers it appeared that four of the selectmen out of five had made a Return on the precept for three other persons: wherefore the House were unanimously of opinion that there was no proper Return made of the sd Coll. Thomas Wallingford, Esq. John Gage Esq. & Majr Davis & so after considerable debate whether the House should again send for the sheriff & make farther enquiry into the matter, it was overruled & the Question being put whether the House would now proceed to the choice of a speaker, nine members were for it & eight against it.

[p. 189 (1).] The House proceeded to bring in their votes for a Speaker, wch being Examined it appeared that the Honble Majr Ebenr Stevens, Esq. was chosen Speaker of the House by a majority of votes & was accordingly conducted to his seat.

Voted, That Mr. Meshech Wear, Mr. Zebulon Gideons, Thomas Bell, Esq. & Capt. Jon. Chesley wait upon his Excy & Inform him that the House have made choice of the Honble Ebenr Stevens, Esq. to be their Speaker; who return'd yt they had delivered the message.

(1) There is some irregularity in the *paging* of the Journal, several leaves intervening between pp. 188 & 189.—Ed.

The Honble Jotham Odiorn, Theod. Atkinson, Richd Wibird & Saml Solly, Esqs. came down from the Board & Informed the House that his Exc^{y} the Governor approved of their choice of a Speaker; & then the House adjourn'd till tomorrow nine of the clock.

Thursday June ye 6, 1845. Met according to adjournment, Present, and the members called, viz. The Honble Eben^{r} Stevens, Esq. Speaker.

Nath. Rogers, Esq.
Eleaz^{r} Russell, Esq. } of Portsm^{o}.
Mr. Henry Sherburne,
Mr. John Sanborn,
Saml Palmer, Esq. } of Hampton.
Mr. Meshech Wear, of the Falls.
Coll. Peter Gilman
Mr. Zebulon Gideons } of Exeter.
Thomas Bell, Esq. of New Castle.
Richd Jennens of Rye.
Moses Levitt, Esq. of Stretham.
John McMurphy, Esq. of Lond'derry.
Capt. John Nutter of Newington.
Clement March, Esq. of Greenland.
Capt. Jon. Chisley, of Durham.
Mr. Thomas Young, of New Mark^{t}.

[p. 190.] John Gage, Esq. Coll. Thomas Wallingford Esq. & Maj. Thomas Davis came into ye House & desired that their names should be called over. Also Thomas Millet, Esq. Capt. John Wingate & Mr. John Wentworth came into the House, & objected against it. Upon w^{ch}, after considerable debate, it was

Voted, That ye abovementioned six Gentlemen viz. John Gage, Esq. Coll. Thomas Wallingford, Esq & Maj^{r} Thomas Davis, Thomas Millet, Esq. Capt. John Wingate & Mr. John Wentworth, be desired to withdraw. After which it was

Voted, That the House proceed to the choice of a Clerk Imediately. Upon wch the Speaker directed the members present to bring in their votes for a Clerk, which being done, upon examination of the votes it appeared that Mr. Daniel Peirce was chosen clerk by a majority of one vote. Upon wch the Speaker sent the Houses' messenger to inform Mr. Pierce of it & to desire him to come to the House. Mr. Pierce came into the House, accepted of the office, & is accordingly Swórn to the faithfull Discharge of said, by the Honble Eben^{r} Stevens, Esq.

[P. 191.] *The following voted to be ye Rules of ye House.*

1. That whosoever shall by any misbehaviour in Speech or action justly offend any of the members of ye House, shall for the first offence be admonished, for the second, fined as the House shall see meet.
2. That no member speak twice until every member have Liberty to speak once, if he please.
3. That every member direct his Speech to ye Speaker, & not to one another, & when any member has a mind to speak to any case, that he stand up & ask Leave of ye Speaker to speak.
4. That whenever there happen y^t there is as many votes on one side of ye Question as ye other without the Speaker, that then ye Speaker make ye casting vote.
5. That if the Speaker be absent the House may choose a Speaker pro tempore, that ye affairs of the House may be carried on without stop.
6. That if any member after being qualified & entered shall absent Himself at any time without leave from ye House, he shall be fined at the Discretion of ye House.
7. That if any member of this House shall be by ye major part of this House tho't unfit & not qualified for s^d Place, it shall be [P. 192.] in their Power to dismiss such Person giving Notice to the Town or precinct where he belongs to choose another to fill up such vacancy.
8. That every Bill to be pass'd in this House shall be read three times & that there be two adjournments of this House before any Bill be passed into an Act & y^t every member keep his place in ye House & not speak out of it.
9. That every member when any thing is put to vote, when required shall vote on ye one side or ye other, & if he refuse shall be under the censure of ye House.
10. That the Speaker with eleven members be a House to do Business.
11. That no vote y^t is pass'd in the House shall be reconsidered by a less number.

[P. 193.] Voted, That ye members take their Places according to ye order of the Towns.

Voted, That the Clerk be directed to employ a workman to provide proper seats & a Table to accommodate the members.

Voted That Mr. Sherburne the former Clerk be directed to deliver to ye present Clerk, the Books & Files in his Hands belonging to this House.

June 6th 1745, A. M.

The House adjourned for two hours.

P. M. The House met according to adjournment.

After some Debate whether the election of ye Dover members was legal or not, there being six members appearing as Representatives for said Dover,

Voted, That the s^d six Gentlemen, viz, Thos Wallingford Esq. John Gage Esq. Maj. Thos Davis, Thos Millet, Esq. Capt Jo^n Winget & Capt. Jno. Wentworth be sent for into the House. They accordingly appear'd & after being heard it is further Voted, That ye Parties be heard on ye s^d affair on ye second Day of the Setting of this Court after this week & that the Selectmen & Town Clerk of s^d Dover & Andrew Marshall & Saml Gerrish be summon'd to appear, & that ye Parties give their attendance on s^d Day at Ten o'clock, A. M.

[P. 194.] The Petition of Israel Gilman, Robt Barber &c. Inhabitants of New Market representing some unfair proceedings in the Election of a Representative for N. Market being read, ordered that ye Sherif be sent for, who comes into the House & being asked for the Precept sent to s^d New Market & ye Return thereof lays it before the House, which being read, ordered that ye Petitioners be heard on their Petition ye 3^d day of the next setting of this Court after this week at ten o'clock A. M. & that ye Selectmen of s^d New Market be served with a copie of the Petition & this order & that they with ye Clerk of s^d New Market & the Moderator of the s^d Meeting be also cited to appear before this House at s^d time, and all at the charge of the Petitioners.

House adjourned 'til to morrow 9 o'clock.

Fryday 7 June.

Met according to adjournment, &

Voted That the Rev^d Mr. Fitch & the Rev^d Mr. Shirtliff be desired to pray alternately every morning with this House.

The Secretary came down & said his Excell^y desir'd ye Papers & Letter relating to Fort Dummer might be sent up. Sent up his Maj^tys order in Council of ye 6th Septr about Fort Dummer & Gov. Shirley's Letter of ye 25th Feb^y & the vote of the Massachu^s about said Fort by Mr. Macmurphy & Mr. Young.

[P. 195] The Secretary came down & said his Excell^y required ye attendance of ye Speaker & ye House in ye Council Chamber. The Speaker with ye House attended when his Excellency made a Speech, a copy of which was soon sent down & fil'd.

[See this Speech in "Journal of the Council and Assembly."]

The Honble Richd Wibird, Esq. came into ye House & Bro't several letters from Lt. Genl Pepperell & Col. Moore; also his Majesties order in Council of ye 6th of Sept. about Fort Dummer, His Excell^y Govr Shirley's Letter of ye 25th Feb^y & ye vote of ye Mass^ts Bay about Fort Dummer of ye 9th Jan^y & another vote

about ye charge of Fort Dummer of Ap. ye 18th 1745, & said his Excellency desired they might be read & returned again (1).

[The following Letter of Governor Shirley of Feb. 25th is found in the "Belknap Papers," and perhaps is the letter referred to.—Ed.]

Boston, Feby 25th 1744—

Dear Sir—The Scarcity of men in this Province is at present so great, occasion'd by the Demand we have for 'em to Man our own vessells design'd for the service of the Expedition, that I am obliged to let Capt. Graves go from hence upwards of twenty men short of his complement, which I am sorry 'tis not in my power to help him to; as the speedy and safe arrival of his ship with the Mast ships under his convoy is of great consequence to his Majestys ships at Jamaica, if you could get that number of men for him or assist him in procuring them, it would very much promote his Majesty's service, and be esteem'd by me as a particular obligation.

I am with Respect and Esteem, Sir,
your Excellency^s^ most Humble
and obedient servant,

His Ex^cy^ Gov. Wentworth. W. Shirley.

The House adjourn'd for two hours.

P. M. The House met according to adjournment.

Voted That each member of ye Honble Council have four shill^s^ & six Pence pr Day pd him out of ye publick Treasury & each member of ye House of Representatives have three shills & six pence pr Day pd him out of ye publick Treasury for each day of their sitting in ye Genl Assembly from ye beginning of ye session of ye last Assembly on ye 24th day of Jany last past for & during ye space of three years from this day; that each member of ye Honb^l^ Council & ye House of Representatives be allowed three pence pr mile for travelling to & from ye Genl. Assembly on every adjournm^t^ [p. 196.] prorogation or Dissolution except when the Genl Assembly is adjourned from Saturday to Monday or for a shorter time—That the Honble Council be paid out of the Treasury on a Certificate from the Secretary & that ye members of the House of Representatives be p^d^ out of the Publick Treasury on a Certificate from the Clerk of ye Assembly, Also that ye Clerk of the House of Representatives from ye beginning of the session of the last Assembly on the 24th Jany last for & during the space of three years from this day to be paid three shill^s^ & six pence pr Day for each day of his attendance in Genl Assembly, to be paid out of the Publick Treasury on a Certificate under ye hand of the Clerk for the time being, & that the Honble Theodore Atkinson Secretary be pd out of the publick Treasury sixty five Pounds in full for his common and Extraordinary service as Secretary for ye year 1744 to ye 25th March last past.

Sent up by Mr. Jennes & Mr. Leavit.

Whereas the Recorder of Deeds & Conveyances of Land &c is the Keeper of the Titles of Free Holders to their Estates, voted

(1) There is some confusion in the order of the Journal; probably the foregoing should *precede* the Record of June 7.—Ed.

that Eleazr Russell Esq. Mr. Meshech Weare, Moses Leavit Esq. [p. 197.] & Clemt March, Esq. be Comt of this House to join with such as may be appointed by the Honble his Majesties Council to draw up a Bill to be pass'd into a Law by ye Genl Assembly (if approv'd on) whereby the choice of a Recorder for this Province may be invested in such Freeholders of this Province as have each a real Estate worth fifty Pounds & make Report unto the Genl Court as soon as possible that the Publick Records may not be kept shut up any longer.

Sent up by Mr. March & Mr. Sanborn.

Voted, That Coll. Benjn Rolf's muster Roll amounting to forty two Pounds for wages of 16 men two months from ye 21st Jany be allowed £42: 0: 0
For provisions for them for sd time . . . 33: 12:
For powder & Bullets 4:

£79: 12: 0

& that sd sum be pd out of ye money pd into the Publick Treasury by Province Tax, last year for defraying the charge of the Province.

Voted, That Nathl Rogers Esq. & Saml Palmer, Esq. be a Comtee to answer his Excellencys speech. Then adjourn'd till to morrow nine o'clock.

Fryday June 8th.

The House met according to adjournment. Mr. Bell was sent up with Coll Rolf's Muster Roll & directed by the Speaker to enquire whether ye Honble Council have pass'd on the votes sent up yesterday. He return'd & said the votes were under Consideration.

[p. 198.] Mr. Secretary Atkinson came down & informed the House yt the vote for the Honble Council and Assembly wages was concurr'd with, That the vote on Coll. Rolf's Muster Roll was concurr'd with, That ye vote about choosing a Recorder was non concurr'd.

Whereas by Letters laid before this House by his Excy the Governour it appears that ye Forces on the Expedition against Louisburg will in all probability be longer in that service than they are provided for by the votes of the Genl Assembly, & whereas Coll. Moore (1) in his Letters represents that ye men want shoes, shirts &c.

Voted, That the Comtee for managing the affairs relating to the Expedition be impower'd to procure as soon as conveniently they

(1) Col. SAMUEL MOORE had command of the Regiment from New Hampshire, consisting of 350 men. He was of Portsmouth, a ship master by profession and distinguished as such. [*See Military Hist. of N. H. by Hon. C. E. Potter, in Vol. II, p. 61, Adj. Gen. Report*, 1866.]—ED.

can such Provision & Stores as they think will be necessary for the supply of ye Forces in pay of this Province for one month more than has been already voted and send them with all convenient Dispatch to ye Forces in Pay of this Prov. on said Expedition, & also that they send such cloathing as they may think necessary for the use of ye soldiers afores^d^ and that money be p^d^ to the Com^tee^ by his Exc^y^ the Gov^rs^ warrant with the advice of ye Council out of the money in the Treasury by y^e^ £13000 act for further carrying on ye Warr against his Majesties Enemies &c. for defraying the charge thereof.

[P. 199.] Voted That Coll. Rolf be allowed three Pounds in full for making inquiry about ye Indian suppos'd to be killed & in full for his acc^t^ & to be paid out of the money bro't into the Treasury by Prov. Tax last year for defraying the charge of the Government.

Voted, That Eleaz^r^ Russel Esq. Mr. Henry Sherburne jun. & Thos Bell Esq. be a Com^tee^ of this House to join with such as may be appointed by ye Honble Council to consider of ye subject matter of his Excel^y^ Govr Shirly & Lieut. Genl Pepperells Letters relating to a Reinforcement of our army at Louisburg & to consider what is proper for this Province to do & to make Report to the Genl Court as soon as may be.

Mr. Secretary Atkinson came down & informed the House that ye votes for supplying the Forces at Louisburgh for one month more & for allowing Col. Rolf three pounds in full &c. & for appointing Eleas^r^ Russell, Esq. &c. a Com^tee^ to join with such as may be appointed by the Honble Council to consider on the reinforcement of our Army at Cape Breton, &c were concurr'd, & that by his Exc^ys^ order the Court was adjourn'd til Monday three o'clock.

Monday 3 o'clock P. M. 1745.

The House met according to adjournment.

Voted That Joseph Moulton jun. be allowed four Pounds seven-
[P. 200.] teen shill^s^ & six pence in full for going Express to Dunstable, &c. in May & June 1744, to be paid out of ye money Bro't into the Treasury last year pr. Prov. Tax for defraying ye charge of the Government.

Voted, That Joseph Moulton jun. be allowed Eight Pounds two shill^s^ & six pence in full for acc^t^ carrying Letters to Boston, Lamp^y^ River &c. in Feby last, out of the money in the Publick Treasury by the Thirteen Thousand Pound act for defraying ye charge of ye Expedition against Louisburgh.

Voted That Joseph Moulton jun. be allowed fifty shill^s^ in full for going Express to Boston, May 1745, to be p^d^ out of the money in ye Publick Treasury by the £13000 act for the use of the Expedition against Louisburgh.

Voted That Capt Jonath^{n} Chesley's muster Roll amount^{g} to thirty Pounds fifteen & six pence sworn to May 2^{d} 1745 be allowed & pd out of the money in ye Treasury by Prov. Tax last year, to defray ye charge of the Government.

The Com^{tee} for considering the subject matter of his Exc^{y} Govr Shirlys & Lieut Genl Pepperrells Letters relating a Reinforcement of the Army before Louisburgh, report as follows:

The Com^{tee} are humbly of opinion that (when proper methods may be agreed upon by the Genl Asssembly for defraying the charge) his Exc^{y} the [P. 201.] Capt. Genl be desired to issue forth his Proclamation for the Encouraging the enlisting of one hundred voluntiers under such proper officers as he may think proper to be employ'd in the Expedition against Louisburgh giving them the same Encouragement as was given to ye last voluntiers inlisted for said Expedition.

Prov. of N. Hamp^{r} } In ye House of Represen^{t} June 10th 1745, Read and accepted & sent up for concurrence } Jotham Odiorn, R. Wibird, Saml Solly, Eleaz^{r} Russell, Hen. Sherburne, Thos Bell } Committee

The House adjourned till to morrow 9 o'clock.

Tuesday June 11th 1745, A. M.

The House met according to adjournment.

Tho' Millet Esq. & Capt John Wingat came into the House & Desired that they might be heard by their Council on their case or affair coming on. Upon which considerable debate arose & ye Question being put, Voted in the negative.

Whereupon Nathl Rogers Esq. Eleaz^{r} Russell Esq. Mr. Meshech Weare, Mr. Zeb^{n} Gideons, Peter Gilman Esq. & Mr. H. Sherburne jr. pray'd leave to enter their Dissent agst s^{d} vote, & to file their Reasons for so doing, upon which they were allowed to enter their Dissent but not to file their Reasons.

[P. 202.] Thos Millet, Esq. Capt. Jn. Winget & Capt. John Wentworth being called came again into the House & s^{d} they were inform'd by a member that Honble House did not think fit to hear them by Council & desired their original complaint might be read, & a copie thereof granted to them, which was allowed & ye minuits of ye proceedings thereon were read, & the s^{d} Gentlemen farther moved that this House would reconsider their vote relating ye admission of Council or not, the Point in dispute not being concerning the due or undue Election of Representatives, but concerning the Return that was made—it being a point of Law.

Voted in ye Negative. Whereupon Nathl Rogers Esq. Eleaz^{r} Russell, Mr. Mesh^{h} Weare, Mr. Z^{n} Gideons, Pet^{r} Gilman Esq. & Mr. H. Sherburne jun. pray'd to enter their Dissent.

The Question was put whether ye hearing the affair relating to Thos Millet Esq. & others should be put off till three o'clock afternoon & pass'd in the affirmative.

Two accounts of Capt. Sloper being read in the House,

Voted That John Macmurphy, Esq. & Mr. John Sanborn be a Com^tee to make enquiry relating s^d accounts.

The House adjourned for two Hours.

[P. 203.] 3 o'clock P. M.

The House met according to adjournm^t.

Voted That the members of this & the last House be allowed for ye following Distances from the Court to their Houses for Travel, viz. from the Court

to Mr. Speaker Stevens'	23 miles
to Saml Palmers, Esq.	14 miles
to Mr. John Sanborns	16 miles
to Mr. Meshech Weares	16 miles
to Coll. Peter Gilmans	15 miles
to Mr. Zeb^n Gideons	15 miles
to Thos Bell Esq.	4 miles
to Moses Leavitt, Esq.	12 miles
to Capt. John Nutters	6 miles
to Jo^n Macmurphy Esq.	36 miles
to Richd Jennes Esq.	9 miles
to Clem^t March Esq.	5 miles
to Capt. Jonth^n Chesley	12 miles
to Mr. Thos Youngs	15 miles
to Mr. Jonth^n Locks	7 miles
to Mr. Joseph Philbricks	14 miles
to Capt. Wm. Frosts	4 miles
to Joh^n Fabyan Esq.	6 miles
to Capt Israel Gilmans	16 miles
to Capt Jonth^n Tomsons	14 miles
to Capt Thos Millets	8 miles
to Capt. John Wingets	10 miles
to Coll. Thos Wallingford	16 miles
to Maj. Thos Davis	13 miles
to John Gage, Esq.	12 miles

After much Debate whether the House would proceed to Judge of the Return of Dover members or not before they proceeded to Judge of the merits,

Voted in ye Negative—and then

Voted That the House proceed immediately to hear the Parties & their Evidences on the merits; upon which they were called in & fully heard & the Evidences carefully examined on both sides, and [P. 204.] then it being late ye House determined by vote to consider on the affair early tomorrow morning, & then adjourn'd till to morrow 8 o'clock.

Wednesday June 12th 1745, A. M.

The House met according to adjournment.

Upon a motion made by some of the House whether Mr. Thos Young ought to judge in the Dispute upon Dover Election or not, Voted in the affirmative.

A motion being made by Mr. Wear & others to have the Question put whether an Election can be due unless the Qualifications of the Electors be judg'd of by the Selectmen & moderator or the major Part of them as directed by the Triennial Act, The majority of the House are of opinion that ye Question ought not to be put, and then after considerable Debate it was put whether Majr Thomas Davis, John Gage Esq. & Coll. Thos Wallingford were legally elected to represent ye Town of Dover or not.

Voted in the affirmative. Whereupon Nathl Rogers Esq. Elezr Russell Esq. Mr. Henry Sherburne jr. Coll. Peter Gillman, Mr. Zebn Gideons & Mr. Meshech Weare, pray'd leave to enter their Dissent & to file their Reasons. The House gave them Leave to enter Dessent & they did dissent, & ye House suspended the matter of their filing their Reasons for further consideration.

[p. 205.] Voted That the sd Majr Thos Davis, John Gage Esq. & Coll. Thos Wallingford be admitted to have seats in this House. Whereupon, Nathl Rogers, Esq. Eleazr Russell, Esq. Mr. Henry Sherburne, jun. Coll. Peter Gilman, Mr. Zebulon Gideons & Mr. Meshech Weare pray'd leave to Dissent & accordingly did Dissent.

The Petition of Israel Gilman & others representing some unfair Practices in ye Town meeting for choosing a Representative for N. Market, being read & the Parties appearing are fully heard & the Evidences Examin'd, & it is voted that the House come to a Determination on this Point directly before any adjournment, & after considerable Debate ye Question being put by yeas & Nays whether the Pole was demanded in season & according to Law, it passed in the affirmative. It was therefore

Voted, That the Election of Mr. Thos Young, to represent N. Market is unlawful & yt he accordingly be dismiss'd this House & that a Precept go out from the Speaker of ye House to the sheriffe requiring him to send a Precept to the Selectmen of sd N. Market requiring them to call ye Free Holders of sd Parish together at some convenient place in sd New Market as soon as may be & choose a suitable person to represent them in ye Genl Assembly of this Province now sitting & to direct them to notify [p. 206.] the Person so chosen to give his attendance in this House on Wednesday next being the nineteenth current, if the Court be then sitting, if not on the first day of the Courts sitting afterwards, & to make return of their doings unto ye Clerk of this House on or before sd 20th day of June current. The House adjourn'd for two Hours.

4 o'clock P. M.

The House met according to adjournment.

Mr. Secretary Atkinson came into the House & inform them that ye votes on Joseph Moulton jun. three acc^ts Coll. Rolf's muster Roll & acc^t Capt. Jon^n Chesley muster Roll & ye vote for one months subsistance more, & slopes &c. for ye soldiers on ye Louisburgh Expedition, Com^tees Report for one Hund^d men, Council, Assembly, Secretary & Clerk of Assembly their allowance, were concurr'd & assented to by the Governor.

After some debate about a proper method for defraying the charge & some Questions being put it appear'd to be the opinion of the House that a Vote should be prepared for the Impressing the sum of six thousand pounds to be p^d in six equal annual Payments from & after the year 1760 for & towards defraying ye charge of the Hundred men & for further paying Victualling &c. the Forces already on the Expedition in Pay of this Province, and

Voted, That Mr. Meshech Weare & Coll. Wallingford be a Com^tee to Draw up a vote accordingly.

[P. 207.] Voted Unanimously that his Exc^y ye Govr be desired to direct ye Treasurer to lay all the Publick acc^ts before the House as soon as may be.

Voted, That Coll. Wallingford, Mr. Henry Sherburne jun. & Coll. Gilman be a Com^tee to join with such as the Honble Council may appoint to examine the Treasurers acc^ts & all other acc^ts that the House may lay before them.

The House adjourn'd 'til to morrow 9 o'clock.

Thursday June 13th 1745.

The House met according to adjournment.

A Bill for an Act in addition to an Act Entitled an Act for the Settlement & Distribution of ye Estate of Intestates &c. Read the first time in the House.

Inasmuch as the Houses' vote about choosing a Recorder was nonconcurr'd by ye Honble Council

Voted, That Coll. Peter Gilman, Esq. John Gage, Esq & Nathl Rogers, Esq. be a Com^tee to draw up a Vote for ye choice of a Recorder & present it to the House as soon as may be.

The House adjourn'd for two Hours.

P. M. The House met according to adjournment.

Whereas there is an Expedition undertaken against the French (his Majesties Enemies) at Louisburgh for ye Reduction thereof & this Province has already rais'd & sent a Number of Forces for this end, and Whereas in order to accomplish ye Design a Reinforcement [P. 208.] of them appears necessary & that they be kept in pay longer than was at first expected, & ye circumstances of this

Province being such that in order hereto a new Emission of Bills of publick Credit is necessary & that the Drawing & sinking the same should be put off to some distant Period,

Voted, That there be forthwith imprinted & signed by a Com^{tee} or Com^{tees} to be appointed by the Genl Assembly for that purpose the sum of six Thousand Pounds in Bills of Cred^{t} equal in value to so much in Bills of Cred^{t} on this Province of ye last Emission & in such Form as shall be agreed upon by ye Genl Assembly for the supplying the Treasury, for the Defraying ye charge of the men that shall be rais'd & sent from this Province for a reinforcement to carry on s^{d} Expedition & of our Forces already rais'd for the Time needful they should be kept in pay longer than they are already provided for, & the charge of Imprinting & signing the same & that ye s^{d} Sum be put into the Treasury and there remain for the Ends, uses & Purposes afores^{d}, and to be appropriated for ye use & carrying on of the Expedition as the Genl Assembly shall order, for the Payment of one Hundred voluntiers, officers, soldiers & seamen for two months, to be raise & sent for a Reinforcement for ye carrying of the s^{d} Expedition, one month pay to be advanced to each man & the Rest paid when the Muster Rolls [p. 209.] are allowed of by the Genl Assembly & for purchasing Provisions & other necessary Stores & for procuring & fitting vessells for Transports & Payment of Committees that shall be appointed by the Genl Assembly to procure Vessels, Provisions, stores & other necessaries for the s^{d} Reinforcement & for further supplying of our Forces already rais'd, wch Provisions stores & other necessary^{s} for such time as it shall be needful that they should be kept in Pay longer than they are already provided for, as shall be agreed by the Genl Assembly & for defraying the charge of Imprinting & signing s^{d} Emission of Bills, And as a Fund & Security for Drawing in & sinking the s^{d} Bills that there be a Tax on ye Pole & Estates within this Province in six equal annual Payments from & after the year 1760, payable by the 25th Day of December in Each of the s^{d} years, & that the Treasurer of this Province for the time then being issue out his Warrants for the Drawing in & sinking the same as afores^{d} agreeable to the last Proportion of the Province Tax unless a new Proportion or Proportions should be made by the General Assembly, in which case the s^{d} sum shall be drawn in agreeable to the Proportion next immediately preceding the respective Payments. That what of the s^{d} sum shall be drawn into the Publick Treasury from time to time shall be burnt to ashes in the Face of the Genl Assembly & that in case the s^{d} sum or any part thereof shall not be used or improved for the Particular Ends, uses & Purposes afores^{d} [p. 210.] the same shall lye in the Treasury in order to be burnt & sink so much of the s^{d} sum, unless the same shall be otherwise ordered & disposed of by the Gen Assembly, & that the Treasurer for ye Time then being issue out his Warrants for so much as shall be drawn out of the Publick Treasury by warrants agreea-

ble to this Vote & no more. That each & every warrant for drawing any of the s^d money out of the Treasury shall be sign'd by his Excellency the Governour & shall be by & with the advice of the Council, agreeable to this vote.

And that there be a gen^l Liberty given in the Act for Payment of s^d sums of six Thousand Pounds in such sort of Species & in such a way & manner as is set forth in an Act intitled an Act for granting unto his most Excellent Majesty the sum of £4720 Bills of Cred^t equal to so much Proclamation money for supply of the Treasury which Act was pass'd Ap^r 3^d 1742, & that a Com^tee or Com^tees be appointed by ye Genl Assembly to procure & fit ye vessels for Transports & purchase all the Provisions & other necessary Stores for the Reinforcement mentioned in the vote, & that an Act be drawn up accordingly & that Thos Wallingford Esq. & Mr. Meshech Weare be a Com^tee of this House with such as the Honble Council shall appoint to get the Act drawn up.

Sent up by Clem^t March & Thos Bell Esqs.

Voted That a message be sent up to his Excellency praying him to inform the House whether the forty-five men or any Part [p. 211.] of them voted by the Genl Assembly on the 11th of Ap^r past for guarding the Frontiers for two months were sent out or not. Sent up by Mr. Davis.

The Secretary came down & return'd the vote for a Com^tee to audit the acc^ts & said ye Council had two objections against it.

Mr. Secretary came down & said his Excellency sent him to enquire if there would be anything ready to send up to Night. Mr. Bell sent up to inform his Excellency that there would be nothing ready to send up this Evening.

The Honble Ric^d Wibird, Esq. came down & said his Excellency sent him to inform the House in answer to their message enquiring whether the forty-five men had been sent out, that his Excell^y had directed the several Colls. to inlist men, but by reason of the last muster Rolls not being pass'd he could not inlist any, so only five or six had been sent out to Canterbury.

Voted unanimously that D. Peirce be Recorder of ye Province.

The House adjourn'd 'til tomorrow 9 o'clock.

Fryday June 14th 1745, A. M.

The House met according to adjournment.

Voted, that Coll. Peter Gilman Esq. John Gage Esq. Mr. Meshech Weare be a Com^tee to prepare a Bill to be past into an Act in addition to an Act to settle the Excise, & present to the House as soon as may be.

The following vote sent up by Mr. Jennes & Mr. Macmurphy.

[p. 212.] Voted, That Mr. D. Peirce, Gen^t be Recorder of Deeds & Conveyances of Land for this Province for one year from ye fifteenth of this Instant June & until the third day of the

next setting of the Genl Assembly after the Expiration of ye s^{d} Term, & that he shall not be qualified to act as Recorder until he has given Bond with sufficient suretys to the Speaker of the House of Representatives for the time being, in ye sum of two thousand Pounds & taken an Oath for the faithful discharge of ye s^{d} office, and that the Fee for recording shall be six pence a Page each page to consist of twenty eight Lines eight Words to a Line, & three pence for ye attestation of such Record & its being compared with the Original, & ye same for a copie from the Records & the attestation thereon of its being compared with the Book: and that Coll. Henry Sherburne, Richd Wibird, Maj^{r} Eben^{r} Stevens, Nathl Rogers, & Thos Bell, Esqs. be a Com^{tee} they or the maj^{r} part of them to take the Books & Papers belonging to ye s^{d} office of Recorder into their Custody in case of the Death or Incapacity of ye s^{d} Recorder on ye Expiration of the Term above mentioned & them safely keep until further order of ye Genl Assembly; and it is further voted, that s^{d} Com^{tee} or the maj^{r} part of them take a List of all ye Books now belonging to the s^{d} office & a Rec^{t} for the same from the Recorder, & that they be under oath for the faithful discharge of their Trust & that Duplicate of the s^{d} Receit be lodg'd in the Secretarys office.

[p. 213.] Voted That ye member for *Rey* be seated & placed immediately next to New Castle.

The Secretary came down & inform'd the House that the vote for the choice of a Recorder & settling his Fees was concurr'd by ye Council & assented to by the Governour.

The Secretary & ye Honble Jon. Downing Esq. came down & bro't the vote for 6000£ & said that the Council were of opinion

[p. 214.] 1st That more money would be wanted & that it would be best to make a larger sum.

2^{d}. That they apprehended that some difficulty would arise wth his Excellency on acc^{t} of the time, but that they thought if the House would come into making £10,000 to be p^{d} in again in five years, they tho't it would be best & that his Excellency would consent to it. The House after considerable Debate resolved to adhere to their vote & sent it up again by Mr. Weare & by Mr. Sanborn.

Mr. Secretary (1) the Honble Saml Solly, Esq. & the Honble Saml Smith Esq. came down & informed the House that ye Council had concurr'd the vote for £6000, & that it was laid before the Govr for his assent, & that inasmuch as the vote is directly contrary to his Excell^{ys} Instruction, he desir'd a Com^{tee} of this House might be chosen to join such as may be appointed by the Honble Council to desire the agent to implore his majesty (if any censure or aspersion should happen upon his Excell^{ys} conduct in that matter) to excuse it & that it may appear to be the earnest Desire of this House upon so extraordinary an Emergency.

The House adjourned for two Hours.

(1) This paragraph is recorded by mistake on the 213 MS. page.—Ed.

P. M.

The House met according to adjournment.

Voted, That his Excellency the Governour be desir'd to lay before the House as soon as may be a Copie of his Instruction referred to in his Excellencys message by Mr. Secretary, ye Honble Jo^n^ Downing Esq. & the Honble Saml Smith, Esq. which forbids his consent to Emitting money.

Sent up by Richd Jennes Esq. & Mr. Gidding.

The Secretary came down & told the House that if they wanted the Instruction immediately that they requested his Excellency would go home & fetch it, & accordingly the Secretary did soon after bring into the House an attested Copie of said Instruction, it being the Nineteenth in Numb^r^ (1).

[P. 215.] The House taking under consideration the part of his Exc^ys^ Speech which recommends the making provision for the support & maintainance of Fort Dummer,—his Majesties Royal order dated at Kensington, ye 6th Sept, 1744, & some other Papers relating thereto that were read & after mature debate it was

Voted, That the affair of Fort Dummer be suspended till tomorrow 9 o'clock & then,

The House adjourn'd till to morrow 9 o'clock.

Saturday June 15th 1745, A. M.

The House met according to adjournment. After considerable Debate it was put whether the House would take under consideration any motion that had been already made before they proceeded to the affair of Fort Dummer and it pass'd — Voted in the Negative, and then it was put whether the House would receive Fort Dummer, Yea or Nay, & pass^d^ in the affirmative.

For receiving Fort Dummer.	*For not receiving.*
Maj^r^ Thos Davis	Eleaz^r^ Russel Esq.
Mr. John Sanborn	Mr. Zeb^n^ Giddinge
Richd Jennes Esq.	Col. Peter Gilman Esq.
Moses Leavit, Esq.	Nathl Rogers, Esq.
Capt. John Nutter	
Clem^t^ March Esq.	
Capt. Jon^th^ Chesley	
John Macmurphy Esq.	
Thos. Bell, Esq.	
Saml Palmer Esq.	
John Gage Esq.	
Coll. Thos Wallingford, Esq.	

[P. 216.] Be it therefore

(1) See foot note, page—.—ED.

Voted, That there be such Provision made for the support & maintenance of s^d^ Fort as the General Assembly from Time to Time shall think proper.

Voted, That his Exc^y^ the Capt. General be desired to enlist or impress twenty good effective men to be by him imploy'd in his Majesties service for six months as a Garrison for Fort Dummer & to be there stationed, that they have the following allowance for wages, viz.

One Captain twenty shillings pr. month.
One Lieutenant thirteen shillings & six pence pr month.
One Sergeant thirteen shill^s^ & six pence pr month.
One Corporal twelve shills. pr month, and sixteen centinels each ten shills. pr month, and that each of the s^d^ twenty men be allowed eight shills. pr month for providing himself with provisions.

Mr. Secretary came down & informed the House that the two votes relating to Fort Dummer were concurr'd by ye Council & assented to by his Excellency, and added further y^s^ in full confidence, that the House would write such a Letter as had been recommended, his Excel^y^ had assented to the vote for six thousand Pounds & that his Excellency the Govr directed him to adjourn the Genl Court till Tuesday ten o'clock, A. M.

[P. 217.] N. B. Coll. Peter Gillman, Mr. Zeb^n^ Giddinge, Eleaz^r^ Russel Esq. prayed Leave to enter their Dissent against ye two votes relating the receiving & garrisoning Fort Dummer, & accordingly they did Dissent & Nathl Rogers Esq. did dissent against ye vote for desiring his Excellency to enlist or impress twenty good effective men, &c. (which ought to have been enter'd before ye minuit of the last adjournment of ye Court).

Tuesday June ye 18th 1745, A. M.

Some of the members met according to adjournment.

Mr. Secretary came into the House & said his Excellency the Govr had adjourn'd ye Court til 3 o'clock afternoon.

P. M.

Some of the members met according to adjournment, but no House to act.

Mr. Secretary came into ye House & said his Exc^y^ adjourn'd the Court till tomorrow ten o'clock.

Wednesday June 19th 1745, ten o'clock, A. M.

The House met according to adjournm^t^ &

Voted That the Com^tee^ appointed to take care of the Province Records in case of ye Death or Incapacity of the Recorder be

impower'd to prepare a proper Bond for ye Recorder to sign agreeable to the vote.

Voted That N. Rogers Esq. & Coll. Thos Wallingford Esq. be a Com^tee to draw up a proper Act for ye Relief of poor Prisoners for Debt.

Voted That Robt Miller be allowed twelve shills. & six pence in full for his service in Scouting last Summer, to be p^d out of ye money bro't into the Treasury last year for Defraying the charge of the Government.

[p. 218.] Voted Capt Jeremiah Clough be allowed twenty two shills. & six pence for billeting of ye Indian named Christo from 19th Decr to 19th Jan^y & ye s^d Christo for his wages for s^d time twenty six shills. & nine pence, to be p^d out of the money bro't into the Treasury last year by Prov. Tax for defraying the charge of Government

[The following is the Bill presented by Capt. Clough.—Ed.]

The Prov. of New Hamp^r to Jeremiah Clough Dr.

To keeping of Christo By order of the Capt. General 30 Days from the 19th of Decr to the 19th of Jany 1744–5 . . .	
To billeting at 3s pr Day	£4: 10: 0
To his wages	5: 7: 0
	£9: 17: 0

Jeremiah Clough.

Prov. of N. Hamp^r.

In ye House of Repres^s June 19, 1745 Jere^h Clough above^s made oath to ye truth of ye above am^t before ye House.

D. Peirce Clk.

The House adjourned for two hours.

Wednesday June 19th 1745, p. m.

The House met according to adjournment.

Voted, That Coll. Thos Wallingford Esq. John Gage Esq. and Maj^r Thos Davis be allowed their wages as other members from ye Day of their being sworn as members to ye Day of their taking their seat in the House except one day.

Agreeable to the Precept from the Speaker of this House to the Sherrif requiring him to issue out his writ to the Freeholders of the Parish of New Market to convene & choose some meet Person to represent s^d Parish in the Room of Mr. Thos Young who was dismiss'd this House, Thos Packer Esq. Sherrif makes Return y^t Capt. Israel Gilman was chosen to represent s^d New Market, & John Macmurphy & John Gage Esq. were sent to inform his Excellency thereof & to pray that he might be qualified.

Whereas his most gracious majesty has been pleased of his royal Bounty to send to this Government a Parcel of ordinance, Powder, shot and other Stores (as pr an Invoice laid before this House this day) now in this Harbour on board ye ship Anne & Jane, Anthony Hammond Master,

Voted, That the charge of Landing s^d ordinance Stores &c. be p^d out of the money in the Publick Treasury for the Defence of ye Government when the acc^t shall be allowed by ye Genl Assembly.

Coll. Wallingford & Capt. Gage were desir'd to go to New Castle & inform themselves of best method of Landing ye ordinance, &c (1).

A Paragraph of Mr. Thomlinson's letter, 15th *March*, 1744–5, *relating to the Powder.*

[Copied from MS. Corr. in Secretary's office, Vol. I, p. 207.]

"Capt. Hammond with your ordnance Stores is still here. I think these Stores, and this ship have been most fatally Detain'd. I was two years at great trouble, pains and Expence to obtain those Guns &c. and since I have had the greatest trouble imaginable between the Lords of the Admiralty and the office of Ordnance; I wish they were at last got safe to you, and that you make good use of them. I hope the Province will enable me to pay for the gun-powder, as I am in their behalf bound to do the next September."

In another letter he says — "I am obliged to pay in Sept. next £690 for the Powder, wch I hope the Province will enable me to do."

From the office of Ordnance:

The 180 barr^ls Powder amounts to £654.

Fr^t & S'pindent charges at 4£ pr Ton, on the Powder & other Stores, being on 233 Tons=charged £932.

Copy from the Original order,

Theodore Atkinson, Sec^y.

Adjourn'd till to morrow 9 o'clock.

[p. 219.] Thursday June 20th 1745.

The House met according to adjournment.

Mr. Giddinge & Clem^t March, Esq. were desired to wait on his Excellency & pray him to direct that the member return'd for N. Market be qualified, who returned & said his Excellency would soon be at Council.

Whereas ye act in addition to an Act intituled an Act for granting unto his Majesty an Excise on several Liquors &c. which was made & pass'd by ye Genl Assembly of this Province in the 15th year of his Majesties Reign & which was to be in force for the space of three years from the 15th day of May 1742, expir'd 15th May last past,

Voted, That the s^d act be revived & continued for five years from the first day of July next & that Coll. Peter Gilman & Mr. Meshech Weare be a Com^tee of this House to join with such as may be appointed by the Honble Council to draw up an act accordingly.

(1) See "Journal of the House," Oct. 30, 1744, p. 255.—Ed.

The Secretary came into the House & said his Excellency had nothing lay before him relating any new member & that there were twenty return'd by ye Sherrif agreeable to the King's writ & qualify'd. Upon which the House sent Mr. Weare & Mr. Giddinge to inform his Excellency in answer to s^d message, that as to Mr. Young who was return'd from New Market & qualified there was a complaint of an undue Election of him, & the House upon hearing the Complaint judged it was not a proper Election, upon which a Precept went from ye Speaker for a new choice & Capt. Israel Gilman was return'd on that Precept, which is the member the House prays may be qualified.

[p. 220.] The Honble Richd Wibird Esq. & the Honble Saml Solly Esq. came into the House & s^d his Exc^y had given orders for Landing ye Powder sent by his Majesty at the Fort but that he did not think it safe to keep it all in one place & therefore desir'd the House would provide some proper Place wherein to lodge part of ye Powder.

The House adjourn'd for two hours.

Thursday June 20, 1745, p. m.

The House met according to adjournment. Mr. Secretary came into ye House & said his Exc^y desired to see the Return that the Sherrif made to the House of the New Market member. Sent up by Mr. Weare, & return'd again immediately by Mr. Secretary and the Honble Richd Wibird, Esq. who qualified Capt. Israel Gilman, the person returned by the Sherrif to represent New Market in ye Room of Mr. Young, by the proper oaths, & the s^d Capt. Israel Gilman was directed by the Speaker to take his place in ye House.

Mr. Secretary came again into the House & said his Excellency met with difficulty in raising the hundred men for the reinforcement of our Forces at Louisburgh, for that the ten shills. allowed for inlisting men was tho't by Gentlemen likely to raise companies not to be sufficient for that Purpose, men being now more straggling that when the last voluntiers were raised.

Whereas a reinforcement of ye Forces before Louisburgh is strongly urged by Genl Pepperrill and Commodore Warren, &c. & his Exc^y has been pleased to represent by a message to the House, y^t it may be difficult for the Captains that may have beat-[p. 221.] ing orders to raise men for ye allowance granted for inlisting the last Voluntiers, it is therefore

Voted That each Captain be allowed three shills & nine pence for each & every voluntier that he shall inlist to proceed on s^d Expedition (to be p^d out of the money that shall be put into ye Publick Treasury by the six thousand Pound vote) when his Company is full. Sent up by Mr. Bell.

Whereas a vote pass'd in the House the 4th of April last past desiring his Exc^y the Capt. General to inlist or impress a Number of good effective men to be by him imployed for two months in

his Majesties service in guarding the Frontiers &c. which vote was concurr'd by the Honble Council & assented to by his Excellency the Governour,

Voted, That each of the s^{d} men to be imploy'd in s^{d} service for guarding ye Frontiers have one shilling and six pence allow'd them pr. month more than their wages to furnish themselves with ammunition to be paid when the Muster Rolls shall be made up & allowed by ye Genl Assembly. Sent up by Mr. Giddinge & Maj. Davis.

Sundry women came into the House & pray'd for part of their Husbands wages, &c.

Voted That there be allowed & p^{d} out of the money in the publick Treasury for Payment of officers & soldiers on the Expedition against Louisburgh to each voluntier in the service of this Goverm^{t} on s^{d} Expedition, his wife or legal Representative twenty shillings in Part of his wages. Sent up by Mr. Giddinge & Maj^{r} Davis.

[p. 222.] The House adjourn'd til to morrow 9 o'clock.

Fryday June 21st 1745.

The House met according to adjournment.

Voted That ye Committees for imprinting signing & letting out the twenty five thousand Pounds Loan money, as also the Committee for managing the Repairs of Fort William & Mary be all directed to lay their accounts of their proceedings in the several Trusts reposed in them before the Genl Assembly as soon as may be for their allowance. Sent up by Mr. Giddinge & Maj^{r} Davis.

Voted That Eleaz^{r} Russell Esq. & Thos Bell Esq. be a Comm^{tee} to look out for a proper Place to lodge the Powder in that belongs to the Province & make Report to this House as soon as may be.

Voted, That ye six thousand Pounds already voted for be all struck off upon the great Plate.

Voted, That Richd Jennes Esq. be appointed by this House to join such as may be appointed by the Honble Council to go immediately to Boston and git the six thousand pounds which the Genl Assembly have voted to be impressed for further carrying on ye Expedition against Louisburgh, imprinted with all possible Dispatch on the best terms they can get it done, & that it be struck from the same large Plate as ye large sheets of the £13000 were struck from, & that they convey it safely to the Com^{tee} to be appointed to sign it as soon as it is imprinted, that y^{e} large Plate now in Possession of the Com^{tee} for impressing the £13000 be deliver'd unto s^{d} Com^{tee} & y^{t} the Com^{tee} be under oath for the faithful Discharge of the Trust reposed in them. Sent up by Mr. Gage & Levit.

[p. 223.] Voted that the Honble Eben^{r} Stevens Esq. Sam$_{l}$.

Palmer, Esq. & Thomas Wallingford Esq. be a Com^{tee} of this House to join with such as may be appointed by the Honble Council to sign the six Thousand Pounds Voted to be impressed for further carrying on the Expedition against Louisburgh & that s^{d} Com^{tee} or any three of them sign each Bill, & when they are sign'd that they deliver them to the Treasurer of ye Province for ye time being, & that they be under oath to ye faithful Discharge of the Trust reposed in them. Sent up by Mr. Levit & Mr. Gage.

Mr. Giddings & Maj^{r} Davis were sent up with sundry votes, viz. The vote of 1: 6 for each man imployed in Scouting to supply himself with ammunition, & the vote for 20*s* advance wages to the wife &c of the soldiers on ye Expedition against Louisburgh, & the vote for requiring the Com^{tee} for imprinting &c. of £25000 Loan & the Com^{tee} for the Repairs of the Fort, & were ordered to enquire what was done by the Board upon the Excise vote. They Report that the vote was concurr'd by the Board & assented by the Govr & that the Honble Mr. Odiorne was appointed by the Board to join the Com^{tee} of ye House to draw up an Act accordingly.

Mr. Secretary & the Honble Mr. Solly came into the House & return'd the vote for advancing 20*s* to ye Wifes &c. of the soldiers on the Expedition agst Louisburgh, and said the Governour & Council recommended to advance two months wages to the officers, & left s^{d} vote to be reconsidered by the House, & that the Govr desired the House would make some Estimate what Proportion of the Powder sent by his Majesty might be proper to Distribute in the several Towns before they proceeded to pass votes relating thereto.

[P. 224.] Voted That the Com^{tee} formerly appointed by the Genl Assembly in the 13000£ Act for managing the affairs of & carrying on the Expedition agst Louisburgh be also impower'd to carry on & manage all affairs relating to the Reinforcement & make all Provision necessary therefor.

The House adjourned for two hours.

Fryday June 21, 1745, P. M.

The House met according to adjournment.

John Macmurphy Esq. pray'd leave to enter his Dissent agst the vote that impower'd the Com^{tee} formerly appointed by the £13000 Act for managing the affairs of ye Expedition &c. to manage the Reinforcement &c. & accordingly did Dissent.

Voted That there be paid out of the money in ye Treasury for payment of officers & soldiers on ye Expedition against Louisburgh to Mad^{m} Mary Moore wife of Coll. Saml Moore Esq. who is gone on s^{d} Expedition (she having rec^{d} an order from him to draw ye same) two months pay as part of his wages besides the monthly pay already advanced, & that there be likewise paid to any other person or persons that shall have an order from any other of the Commission officers on s^{d} Expedition in pay of this

Government, two months pay besides the months pay already advanced, as part of their wages. Sent up by Mr. Giddings & Mr. Sanburn.

Mr. Secretary bro't down the Petition of Joseph Lock which is [P. 225.] read representing that he commenced an action against ye Proprietors of Epsom in s^d^ Province & that on a Review at the Superiour Court the s^d^ Proprietors recover'd cost against him, that he conceives the trial was not fair &c. and prays that Enquiry into the Premises may be made.

Voted that ye Petitioners be heard on his Petition on ye second day of the setting of the Genl Assembly after August next, & that ye Petitioners serve the Proprietors of s^d^ Epsom with a Copy of the Petition & this order of Court within thirty days of this date, & that s^d^ Clerk notify the s^d^ Proprietors of s^d^ Epsom to appear & shew cause if any they have why the Prayer of the Petition should not be granted. Sent up by Capt. Jennes.

The Clark of this House made a motion viz. to know whether he ought to give Coll. Benj. Rolfe copies of several Petitions that were laid before some of the late Assemblys or whether he was to give copies of any other Papers &c. belonging to or that lay before this House. After much Debate, ordered, That the farther consideration of s^d^ motion be suspended till tomorrow morning.

Saturday June 22^d^, 1745, A. M.

The House met according to adjournment.

Whereas the grant for twenty men for his Majesties Fort William & Mary for two months is expired,

Voted That his Excellency the Capt General be desir'd to enlist twenty good effective men to be by him imployed in his Majesties service at Fort William & Mary for four months at twenty five shills. pr month & that if they cannot be inlisted his Excel- [P. 226.] lency the Capt. General be desired to impress the s^d^ twenty men to be posted at his Majesty's s^d^ Fort for two months. Sent up by Capt. Bell.

The vote for advancing twenty shills. to each voluntier on ye Exped^n^ which was bro't back to the House to be reconsider'd was sent up again by Mr. Giddings & Mr. Sanborn.

Mr. Secretary & the Honble Mr. Solly bro't into the House the Bill of parcels & Mr. Thomlinson's Letter relating to Ordnance Powder &c lately sent to this Province by his Majesty, also ye Treasurer's Estimate of what money had been expended on ye Expedition ag^st^ Louisburgh & said the Council were of opinion that more money than what was provided would be necessary for the Expence of the Reinforcement, &c. They also bro't down the Petition of Danl Meader & ye Memorial of Benj^a^ Thomas and also desir'd that ye House would send up sundry Petitions

that lay in this House which were directed to Governour, Council & Representatives & not yet acted upon. They also said that the Council objected to ye vote that appointed the Committee for the Reinforcement of ye Forces at Louisburgh for they tho't by that vote if concurr'd that the Board were obliged to choose such Gentlemen of the Council as the House had appointed for s^d Committee & that they did not design to appoint any of those that were of the former Committee of Warr for the Reinforcement 'til they had seen their former accounts.

The memorial of Benj. Thomas representing his being sorely wounded on ye Expedition ag^st Louisburgh & praying for suitable support in his low Estate being read:

[p. 227.] Voted that there be allowed & p^d to the s^d Benjn Thomas eighteen pence pr day for one month (to be rec'ond from the time of his arrival from Louisburgh) for subsistance & attendance to be p^d out of ye money in the Publick Treasury & the 3000£ Act for contingencys & that Doct. Nathl Rogers Esq. be desir'd to attend upon & administer unto him the said Benjn Thomas as need shall require until the Wound which he received on ye Expedition ag^st Louisburgh be heal'd. Sent up by Coll. Wallingford.

The Honble Richd Wibird Esq. came down to ye House & s^d his Excellency desir'd to know whether any thing was likely to come up before 12 o'clock, also desir'd the Papers relating to the Ordinance & Stores might be sent up.

Said Papers were sent up by Mr. Macmurphy.

Mr. Wibird came again into ye House & said his Excellency desir'd to know whether the twenty men Voted for the Fort were over & above the five men already in the Fort.

Capt. Jennes & Mr. Giddinge were sent up to inform his Excellency that the twenty men included the five.

After much Debate it was put whether the affair of sending up Petitions should be suspended for further consideration, Yea or Nay, and — Voted in the Negative.

Voted That a message be sent up to know what Petitions the Council by their message by Mr. Secretary desir'd. Sent up by Mr. Weare.

Answer was That ye Board desir'd all the Petitions that are mentioned in the following Vote:

[p. 228.] Voted, That all the Petitions that have been bro't before this House for two years past & not yet acted upon be sent up more especially Coll. Benjn Rolfs & Mr. Holts Petition & all other Petitions for soldiers Scouts &c for guarding Frontiers agreeable to ye Councils message pr Mr. Secretary.

List of Petitions, found on a separate Paper.

Suncook Petition for aid &c. June 1744.
No. 4 on Con^{t} River for men &c. East side, July 1744.
John Hills Petition for men &c. 1744.
Souhegan West, Ditto, for Ditto, 1744.
Benjn Rolfs for Ditto, June 1744,
Eb. Tinsdells & Josiah Willards Petition in behalf of Northfield.
Benj. Holts Ditto for 30 or 40 men at Suncook, Ap. 30th 1745.
Benj. Rolfs Ditto for aid of men &c at Runford, Ap. 30, 1745.
John Cram &c Ditto for Ditto at Salem Canada, 1744.
Richd Flood &c. Ditto for Ditto, 1744.
West Parish of Dunstable Ditto for Ditto, June 1744.
Souhegan West, Ditto for Ditto, 1744.
No. 4 Ditto for Ditto. July 1744.
Litchfield Ditto for Ditto, &c. 1744.
Winchester lower Ashuelot Certificate, 1744.
Dunstable Peoples Petition for Garrisons & men 1744.
Gosport Ditto for men &c. July 20th 1744.
Henry Sherburn Ditto, Decr 1744.
Petition of many praying for men to go in an Expedition against Louisburgh.
Petition of Sarah Ball &c. wifes of the soldiers on ye Expedition Louis^{gh}.

Mr. Secretary came into the House and said he was directed by his Exc^{y} to adjourn the Genl Court till Monday 3 o'clock, P. M. and accordingly ye Court was adjourn'd.

Monday June 24th 1745. P. M.

The House met according to adjournment, & then adjourn'd till tomorrow 9 o'clock.

Tuesday June 25th 1745, A. M.

The House met according to adjournment.

Muster Roll of a Scout to guard the Mast men John Gage Comm^{dr} June & July 1744.

Ephraim Tebbets jun. Sarg^{t} 26 days, at 35*s* pr month.		
John Hubbard	26	Days at 25*s* pr month.
John Roberts	26	
Richd Plumer	24	
Daniel Plumer	24	
Joseph Hall	28	
John Mills	26	
Amounting to		£8 : 10 : 2.

Sworn to before the House by Ephraim Tibbets, jun.

[P. 229.] Voted that the foregoing Muster Roll sworn to by Eph^{m} Tibbits jun. be allow'd & paid out of the money in the Publick Treasury by Tax last year to defray the charge of the

Government amounting to eight Pounds ten shill^{s} & 2*d.* Sent up by Capt. Bell & Capt. Chesley.

Mr. Secretary bro't into the House a memorandum (as it is called) of the Difficult circumstances of Methuen District signed Daniel Peaslee Esq.

Richd Wibird & Thos Millet, Esqs. bro't into ye House the Plates on which the 13,000£ were struck viz. one Plate on which the large Bills were struck & one on which the small were struck & one back Plate, they also bro't into the House ye following Receit, viz.

Province N. Hamps^{r} June 24, 1745.

Rec^{d} of ye Com^{tee} appointed by ye Genl Assembly of ye Province afores^{d} for getting impress'd thirteen thousand Pounds for ye Expedition agst Louisburgh, &c. eleven thousand Pounds struck from ye large Plate & two thousand Pounds struck from ye small Plate agreeable to ye Act for emitting ye said sum of thirteen thousand Pounds.

Peter Gilman	Geo. Jaffrey
Hen. Sherburne jun.	Joth. Odiorne
Nathl Rogers	Theo. Atkinson.

[P. 230.] They farther added that ye Com^{tee} had three or four hundred blank sheets of ye large Plate & desir'd to know the Houses' mind relating 'em.

The Com^{tee} for making of the 13000£ for the Expedition agst Louisburgh having bro't the plates on which s^{d} money was struck into the House,

Voted That Coll. Peter Gilman & Capt Ric^{h} Jennes be a Com^{tee} to join such as the Board shall appoint, forthwith to take s^{d} Plates & secure y^{m} in the Prov^{e} Box. Sent up by Mr. Macmurphy.

The House adjourn'd for two hours.

Tuesday June 25th 1745, P. M.

The House met according to adjournment.

Voted That Thos Bell Esq. & Capt. Israel Gilman be a Com^{tee} to wait on his Excellency the Capt. Genl & pray him to order the men voted by the Genl Assembly to scout on the Frontiers to proceed on that duty as soon as possible.

Mr. Secretary came into the House & said that his Excellency in answer to their message sent up by Mr. Bell & Mr. Gilman, sent him to inform the House that he tho't it would be necessary to make some addition or alteration in the vote that grants men to scout on the Frontiers & that it would be better to allow ye men money to buy provisions or place Provisions at some place nearer to the Frontiers than Treasury is, & that ten of the men granted were now scouting at or about Canterbury.

The House adjourn'd till to morrow 9 o'clock.

Wednesday, June 26th 1745. Met according to adjournment.

[p. 231.] Voted That there be paid out of the Treasury to each officer & soldier that shall be inlisted or imprest & kept out on his Majesties service scouting & guarding the Frontiers agreeable to ye grants of ye Genl Assembly, nine pence pr Day to furnish themselves with Provisions & Rum in lieu of the customary allowance, if they will accept of ye same, otherwise it is voted that the Treasurer supply all such soldiers with Provisions & Rum as is usually allowed by this Province.

Sent up by Coll. Wallingford & Mr. Sanborn. Mr. Secretary came into the House & return'd a Petition of Daniel Meader & said he was directed by the Council to inform ye House that their vote of the 21st Instant appointing a Comtee for ye Reinforcement &c. was nonconcurr'd.

The Honble Theode Atkinson Esq. came into the House & made a motion in favour of John Keniston's Widow representing her necessitous circumstances, ye sd John being killed on the Expedition against Louisburgh.

After Debate 'twas put whether Coll. Blanchard should be allow'd any thing for doctoring, Nursing, &c. of Coombs. Vote pass'd in the Negative.

It was also put whether Coll. Blanchard should be allowed any thing for Expresses sent beyond or without the extent of his Regiment. Vote pass'd in ye affirmative.

The House adjourn'd for two Hours.

June 25th 1745, p. m.

The House met according to adjournment.

Voted That there should be but three of ye members of this House chosen for a Comtee to manage ye Reinforcement & yt the Honble Ebenr Stevens Esq. Thos Bell Esq. & John Gage Esq. be appointed for ye purpose aforesd.

[p. 232.] There being a full House it was put whether there should be any more than £6000 imprinted to defray the charge of ye Reinforcement & pass'd in the Negative.

Capt. Jon. Gage Esqs. Muster Roll to guard the Hewers of Masts was again sent up & ye Board was inform'd that ye sd Muster Roll was cast right, & in answer to the message from ye Board by Mr Secretary last week which inform'd the House that ye Board tho't the 6000£ voted for the Reinforcement of our army against Louisburgh would not be sufficient — That the House adhere to their former vote for sd six thousand Pounds. Sent up by Mr. Weare & Giddinge.

Voted That John Macmurphy Esq. & Mr. Henry Sherburne jun. be desired to prepare a vote to impower a Comtee to address his Majesty.

The House adjourned 'til to morrow 9 o'clock.

Thursday June 27th 1745, A. M.

Met according to adjournment.

It was put whether Coll. Blanchard should be allow'd any thing for Expresses within the Extent of his Regiment. Pass'd in the Negative.

Voted, That ye Honble Ebenr Stevens, Thos Bell & John Gage Esqs. be a Comtee of this House to join with such as may be appointed by the Honble Council to manage the affairs relating to the Reinforcement for ye Expedition against Louisburgh with one [p. 233.] Hundred men, to provide & fit a vessel or vessels for Transports to procure Provisions & stores of all sorts & transact any other affair relating to the sd Reinforcement proper for a Comtee to act in & that when ye money appropriated for ye uses aforesd in the vote of the House of the 13th current is in the Treasury it be pd to the said Commtee by his Excellencys warrant with advice of ye Council as they may have occasion for it & that they be accountable to the Genl Assembly for such sums as they shall Receive & that they make report of their Proceedings to the Genl Assembly from time to time as the Genl Assembly shall require the same. Sent up by Mr. Macmurphy, who was directed to desire the Board to proceed to act upon sd vote as soon as may be.

Nathl Rogers Esq. & Eleazr Russell Esq. ask'd leave to enter their Dissent against the foregoing vote & accordingly they did dissent.

Voted that Danl Meader be heard on his Petition on ye third day of the setting of the Genl Assembly after the first of Augst next & that ye Petitioners serve the select men of Durham with a copie of this Petition & this order of Court within ten Days of this date & notify them to appear on sd day to shew cause if any they have why the Prayer of the Petition should not be granted.

Voted, That the Honble Ebenr Stevens Esq. & Mr. Henry Sherburne jun. be Comtee of this House to join such as may be appointed by ye Honbl Council to draw up a proper Address to his most gracious Majesty & lay it before ye Genl Assembly for their [p. 234.] approbation as soon as may be showing the absolute necessity of emitting money & putting of ye Payment of it to some distant period & praying that His Excellency the Governour may not incur his Royal displeasure for consenting to the Emissions for the use of the Expedition agst Louisburgh, Defence of the Frontiers & further carrying on the Warr against his Majesties Enemies & also praying that his most gracious Majesty would be pleased to give his Excelly ye Govr Leave to consent to such future Emissions of money as may be found necessary for the Defence of this his Majesties Government & for further carrying on the warr against his Enemies setting forth the circumstances of this Province under the calamities of a War, also making a true Representation of ye state & situation of Fort Dummer, showing how improperly situated it is for the Defence of this

Government & praying that his Majesty will not insist upon this Government supporting a Garrison at a Place which can be of so little service to them, also making a grateful acknowledgment of of his Majesties early care of his subjects in this Province & Return the most hearty Thanks for his royal Bounty of Ordinance, stores, &c. lately received & pray the continuance of his Majesty's royal favour towards us. Sent up by Mr. Sanborn & Capt. Jennes.

Mr. Giddinge asked leave to enter his Dissent against ye foregoing vote & accordingly did dissent.

[P. 235.] Mr. Secretary came into the House & said the Council were so infirm or so engaged in ye King's Business that they could not go to Boston with Capt. Jennes to get the money made & that if Capt. Jennes or the House would nominate one of the House the Board would choose him to join with Capt. Jennes, and added that in obedience to the vote of the Genl Assembly he now laid before the House a List of the Names of those that had pledg'd their Land for security of the £25000 Loan, the Recorder's Rec'ts for the Counter parts of ye mortgages, & the Treasurer's Rec't for part of the Interest of s^d^ 25000£ & further that ye Com^tee^ for repairing the Fort had agreed for Plank but had not yet p^d^ any thing, but expected in a few days to be in Debt for s^d^ Plank.

Mr. Secretary came again into the House & declared ye Council had made choice of Mr. Meshech Weare to join Capt. Jennes to get the 6000£ made, & of the Honble Richd Wibird, the Honble John Downing & the Honble Saml Solly Esqs. to sign it, & ye Honble Geo. Jaffrey, the Honble Jotham Odiorne & the Honble Saml Smith Esqs. as managers of the affairs of the Reinforcement.

Mr. Secretary also bro't down the Petition of Maj^r^ Thos Davis representing his being wounded in the right hand in his Majesties service & praying consideration of the premises, & also the Petition of Fra. Tucker, Prison keeper, praying for Provision &c. for two French Prisoners, also desir'd Hazzen's Plan of the Southern bound^y^ Line might be sent up. Tucker's Petition was read.

[P. 236.] Mr. Secretary bro't into the House the vote appointing a Com^tee^ to address his Majesty & said the Council desir'd to know whether the House expected that s^d^ Com^tee^ made use of the very words in s^d^ vote, & that they ought to be softened & that there ought to be two addresses to his Majesty. In answer to the preceding message,

Voted, That Mr. Weare & Mr. Giddinge be sent up to inform the Board in answer to their message by Mr. Secretary that the House did not mean to confine the Com^tee^ to ye very words of their vote, for they were only propos'd as General Heads for the address, & as to sending two Addresses the House had nothing against it if it was most proper.

The House adjourn'd for two hours.

Thursday June 27th 1745, P. M.

The House met according to adjournment.

Voted That there be allow'd & pd out of the money in the Publick Treasury for paying soldiers & sailors on the Expedition to Louisburgh, unto Capt. John Wise twenty one pounds seventeen shillings & eleven pence in full for his Portledge Bill on sd Expedition. Sent up by J. Gage Esq.

Voted That Majr Davis be allow'd a quarter of a months pay in consideration of his being wounded & in answer to his Petition.

Voted That the men that were inlisted to scout undr Capt. [P. 237.] Ichbd Tibbits be allow'd for sixteen days & those that were impress'd fourteen days & that his acct of forty eight shills old tenor be allowed.

Voted That two of Capt. Tibbits sargeants be allow'd thirty five shills. each pr month.

Voted That Coll. Gilman, Capt. Gage & Capt Bell & Mr. Henry Sherburne jun. be a Comtee to receive & examine Portlidge Bills, Muster Rolls & accts that may be bro't before the Genl Court & then lay them before the House & then the House adjourn'd 'til to morrow 9 o'clock.

Fryday June 28th 1745. Met according to adjournment.

The House not approving of ye answers to his Excells Speech yt were prepared by Mr. Rogers & Mr. Palmer,

Voted That Mr. Henry Sherburne jun be desir'd to draw up an answer to ye Govrs Speech & lay it before ye House.

Capt. Thos Millet (being admitted upon his Desire) came into ye House & said he had waited on the Clerk of this House for sundry Copies & that sd Clerk had refus'd complying with his request 'til the House had resolved on a motion that said Clerk had made to the House touching the giving Copies, he also pray'd the House would speedily come to a Resolve on the aforesd point.

In answer to a motion made by the Clerk of this House of the 21st Instant the Question was put after some Debate whether the sd Clerk should be directed to give copies of any Papers that does or may lay in his office, or of the Journal of the Proceedings of this House or of any part thereof unless forbid by this House,—voted Passed in the Negative.

Doct Rogers & Eleazr Russell Esq. entered their Dissent.

Voted That the foregoing vote be reconsidered.

The House adjourned for two hours.

[P. 238.] P. M. The House met according to adjournment.

Voted That the Clerk of this House when applyed to from Time to Time give out (for ye usual fees) copies of & from the Journal, & Files of this House and such vote or votes as have Pass'd in this House & of such Petitions or Papers as have been

acted upon & entrys thereof made in the Journals of this House or Copies of any Paper or Papers that have any reference to such votes, Petitions or Papers, unless at any time particularly forbid by ye House.

Whereas upon examination of the grants of men for guarding the Frontiers in the year past & comparing them with ye Muster Rolls it appears that the men kept out exceeded the grants & more especially the men on ye West side of Merrimack River, & in Coll. Josiah Willard & Coll. Joseph Blanchards Muster Rolls, yet considering that the most of the men were impressed & the great hardship it will be on them to be kept out of their money & for forwarding the publick Business at this critical conjuncture,

Voted, That the Muster Rolls of Coll. Joseph Blanchard for forty eight men in the year 1744 amounting to one Hundred and sixty three Pounds ten shill^s and ten pence half penny for wages & 137 : 4 : 3 for Provisions, the whole amounting to 300 : 15 : 1 1-2, & the Muster Roll of Coll. Josiah Willard (1) for twenty-five men on Connecticut River in the year 1744 amounting to 114 : 6 : 5 [p. 239.] for wages be allow'd & p^d out of the money in the Publick Treasury by Province Tax last year for defraying the charge of the Government—*Provided* that this vote shall not be deem'd or urg'd as a Precedent for this Government's paying any men that may hereafter at any time be kept out on any occasion contrary to or without grants of the Genl Assembly therefor. Sent up by Mr. Macmurphy.

Voted That Coll. Josiah Willard be allow'd three Pounds sixteen shill^s & three Pence for Powder Bullets & Flints supply'd the twenty-five men by him inlisted & impress'd to be paid out of the money in the Treasury by Province Tax last year for defraying the charge of ye Government. Sent up by Mr. Macmurphy.

Voted That Capt. Ichb^d Tibbits be allowed for his Muster Roll for forty two men in his Majestys service by his Excellency's special order dated May 24th 1744, s^d Muster Roll amounting in the whole to twenty nine pounds eleven shills. one penny to be paid out of the money in the Publick Treasury, by Province Tax last year for defraying the charge of the Government, also allow'd the s^d Tibbits, twelve shills. for three Pounds of Powder deliver'd said men. Sent up by Capt Bell.

[p. 240.] Mr. Secretary bro't down again the Muster Roll of Capt. Tibbits with the vote thereon & s^d that by the words of the vote each man would be obliged to get a warrant & that he the Sect^y would be obliged to write 'em which would be needless trouble & great inconveniency: upon which it is,

Voted That the words of s^d vote be alter'd so as to remove ye difficulty, which was done & sent up again by Mr. Weare.

(1) Col. Josiah Willard was of Keene, and had command of the military forces in that neighborhood.—Ed.

Voted That there be allow'd pay for but one Sergeant among ye soldiers at ye Fort.

Voted That there be allow'd & p^d out of the money in the Treasury for Payment of soldiers & sailors on ye Expedition against Louisburgh 22: 8: 6 which with what has been already paid & voted to be paid in full for Capt. Joseph White's Portlidge Bill for ye Schooner Olive Branch, a transport on s^d Expedition to ye 27th of June 1745. Sent up by Mr. Giddinge.

Voted That there be allow'd for a Muster Roll of ye officers & soldiers at Fort Willm & Mary bro't in sworn to & sign'd by Capt. Thos. Bell, June 13th 1745, amounting to 56: 3: 3 to be p^d out of the money in the Publick Treasury for Payment of officers & soldiers at s^d Fort. Sent up by Mr. Giddinge.

[P. 241.] Mr. Hazzen's Plan of ye Southern Boundary was sent up by Capt. Chesley.

Voted that Thomas Bell Esq. be allow'd four Pounds thirteen shills. & ten Pence half penny in full of his acc^t for supplies of his Majesties Fort Willm & Mary in ye year 1745, with wood, candles &c to be p^d out of the money in the publick Treasury by Prov. Tax last year for defraying the charge of the Government. Sent up by Mr. Giddinge.

Voted That there be allow'd & p^d out of the money in the Publick Treasury for payment of soldiers & sailors on the Expedition against Louisburgh the sum of twenty three Pounds six shills. which, what has been paid & voted to be p^d is in full of Capt. Willm Branscomb's Portlidge Bill for the schooner Sarah & Elizabeth a transport on the Expedition ag^st Louisburgh to ye 28th June 1745. Sent up by Mr. Giddinge.

After Debate the Question was put whether there should be any thing more allow'd Maj. Thos Davis for the cure of his wound mentioned in his memorial of the 27th Inst. Pass'd in the Negative.

Voted That Fra^s Tucker, goal keeper, be allowed five shills. pr week for ye subsistance of the two French prisoners mention in his Petition of ye 27th Instant, viz. for victuals & Lodging during their continuance in Goal or 'til further order of the Genl Assembly, & y^t ye date of said allowance commence from ye time of their respective arrivals, one came in *Win?* the other in Beck. Sent up by Mr. Sanborn.

Voted That the Fee or Premium for killing a Wolf comes within the Genl Assembly's Resolve of Jan'y 1744, whereby it was order'd that one shilling of the Lawful money of this Province then lately emitted should be receiv'd in Payment for two [P. 242.] shills. of any Fees &c. by law established before the year 1740, & that the Treasurer govern himself accordingly. Sent up by Mr. Giddinge.

The House adjourn'd till to morrow 7 o'clock.

Saturday June 29th 1745, A. M.

The House met according to adjournment and after reading several Bills to be pass'd to be enacted, viz. An Excise Bill, The 6000£ Bill, a Bill for an Act intitl'd an Act in addition to an Act for the Emission of 25000£ Loan. Adjourn'd for one hour.

A. M. Met again according to adjournment.

Mr. Secretary bro't down again the Petition of Joseph Lock to have the word *Voted* added which was omitted & which being done Wm. Parker Esq. Attorney to sd Lock (being occasionally in the House) desired the House would reconsider & alter their vote on sd Petition for that ye Proprietors of Epsom had no Clerk & that the Time limited for ye adverse Party's appearance &c. was too short.

Voted That there be a short Act drawn up for the Relief of poor prisoners for Debt.

Mr. Secretary came into the House & sd he was desir'd by his Excellency to inform the House that besides Capt. Bell's Muster Roll there were five men in his Majesty's service at Fort Wm. & Mary for which there was no allowance for one year & three Quarters.

A Bill entil'd an act for granting to his most Excellent Majesty the sum of 6000£ for a Reinforcement of the army on the Expedition agst Louisburgh & for the further supply of the Forces already there, &c. Having been read three times,

Voted That it pass to be enacted. Sent up by Messrs Sanborn, Macmurphy & Jennes.

Mr. Secretary & Honble Richd Wibird & ye Honble Saml Smith Esq. came down & sd his Excellency was of opinion yt it would [p. 243.] be necessary to choose a Comtee to take a view of & Enquire into ye circumstances of that part of the Prov: lying upon Connecticut River & the parts adjacent, and that he tho't to appoint some one to take Possession of Fort Dummer.

Voted That ye large Plates now in the Province Box from which ye 6000£ by an Act of the Genl Assembly pass'd this Day is to be imprinted be deliver'd to the Comtee appointed in sd Act to get the same done, And that after they have completed the same that they deliver the sd Plates to the Genl Assembly. And it is further voted That the Treasurer pay to sd Comtee out of the money now in the Treasury for carrying on the Expedition agst Louisburgh, the sum of fifty Pounds to enable them to carry on the work. Sent up by Majr Davis.

Mr. Secretary came down & sd his Excellency was of opinion yt it was impossible to finish the Business that lay before ye Court to day & that he tho't of adjourning the Court 'til Monday & desir'd to hear from the House.

Voted, That the Comtee imployed in getting the 13000£ made be allow'd sixteen shills. pr Day for ye service & that Docr March be allow'd twenty five shills. for bringing 2800 blank sheets of

money from Boston & fifteen shillings for extraordinary service.

Voted That Answer to ye Gov^rs Speech, a copy of which is on file, be sent up. Sent up by Capt. Leavit, Chesley & Jennès.

[See this answer in "Journal of the General Assembly," June 29th 1745.](1)

[P. 244.] Mr. Secretary came into the House & said that his Excellency directed him to adjourn the Genl Court 'til Monday Eleven o'clock, & ye Court was adjourned accordingly.

Monday July 1st 1745, A. M.

The members not being come in, Mr. Secretary by his Excellencys order adjourn'd the Genl Court 'til 3 o'clock.

P. M.

The House met according to adjournment. Thos Packer Esq. Sheriffe of ye Province being admitted came into the House & pray'd that there might be a Com^tee to inspect ye condition of the Prov: Goal it being much impar'd. Also pray'd the House would take under consideration his allowance for his service as Sherrif & for House Rent for that he had not rec'd any thing for either these two last years past.

An act in addition to an act entitled an Act for granting unto his Majesty an Excise on several Liquors, &c. having been read three times

Voted That it pass to be enacted.

Sent up for concurrence by Messrs Jenness & Sanborn.

An Act in addition to an Act entituled an act for emitting the sum of twenty-five thous^d Pounds in Bills of Credit on this Province equal to so much Proclamation money upon Loan & for granting to his Majesty ye Interest that shall arise thereby &c. being read three Times,

Voted That it pass to be enacted. Sent up by Capt. Jenness & Mr. Sanborn.

[P. 245.] Voted That Mr. Geo. Jaffrey jun. be allow'd thirty four shills. & three pence in full of his acc't for a book of Records for ye Superiour Court's office, of ye 26th June 1745, and then the House adjourn'd 'til to morrow 9 o'clock.

Tuesday July 2^d 1745.

The House met according to adjournment.

Voted, That Benjn Mathes be allow'd ten shills. in full of his Petition for bringing an Indian from Durham to Portsmouth &c.

(1) A copy of this answer is also found in MS. "Governor's Messages," in Secretary's office, Vol. I, p, 355.—ED.

to be pd out of ye money in the Publick Treasury by Province Tax last year for defraying ye charge of the Government. Sent up by Maj. Davis.

The Honble Henry Sherburne, ye Honble Richd Wibird, ye Honble Ebz^r Stevens Esq. & Nathl Rogers & Thos Bell Esq^s ye Com^tee appointed by the vote of the House of the 14th ult. to take the Books & Papers belonging to the office of Recorder into their custody in case of the Death or Incapacity of the s^d Recorder &c. took an oath for the faithful Discharge of the trust reposed in them, and then Mr. Danl Peirce Gent^n the Person appointed Recorder by the afores^d vote & John Macmurphy & Clem^t March Esq. as sureties Executed a Bond for the faithful discharge of s^d office which was Deliver'd to ye Speaker of the House, and then s^d Peirce took an oath for the faithful Discharge of his s^d office.

Mr. Secretary bro't into ye House a written message from his Excellency representing the Probability of 20 men being raised more than are voted for & Desiring to know whether ye House would have them Embark'd &c. and then the House adjourned for two Hours.

[His Excellency's Message, copied from MS. "Gov^rs Messages" in Secretary's office, Vol. I, p. 357.]

Gentlemen of the Assembly

It is very probable that about twenty men more than what are voted to be raised for the reinforcement of our troops now before Louisburgh, may appear, in which case I shall be glad to have your Resolve whether it will not be expedient to Imbark them, as it will greatly relieve the Forces now there from the hard duty they have so long undergone.

I shall also be glad to have your mind signified whether it be your Intent to have the Reinforcement Imbarked in case news should arrive before Imbarkation of the reduction of Louisburgh.

B. WENTWORTH.

Council Chamber in
Portsmouth, July 2d, 1745.

[P. 246.] P. M. The House met according to adjournment.

After Debate the Question was put in answer to his Excell^ys message in the forenoon whether the House would make any Provision for men for ye Reinforcement more than has been already voted for.

Voted in the Negative.

Upon a motion made by one of ye members & back'd by others for reconsidering the foregoing vote, the Question was put &

Voted in the affirmative.

A Bill for ye Relief of one Saml Bathrick having been read three times, Voted That it pass to be enacted. Sent up by Capt. Chesley & Sanborn.

Voted That the House adhere to their former vote for not augmenting the Reinforcement.

Voted, That the following message be sent up to his Excellency the Govr in the answer to his Message of this day, viz.

May it please your Excellency,

The House having had y^r Excellencys message of this morning under consideration cannot agree upon any augmentation of the Reinforcement of ye Expedition ag^st Louisburgh & the latter part of your Excell^ys message we pray further time to consider of. Sent up by Coll. Gilman.

The House adjourn'd 'til tomorrow 9'oclock.

Wednesday July 3^d 1745.

The House met according to adjournment.

Voted That ye hearing of Capt. Sloper's affair be put off for farther consideration.

[P. 247.] Voted That there be allow'd ye Com^tee for getting the thirteen thous^d Pounds imprinted & for their service at Boston, the sum of one hundred & seven Pounds eighteen shill^s & a penny half penny in full of their account for s^d service to be paid out of ye money in the publick Treasury for imprinting &c. said thirteen thousand Pounds. Sent up by . . . . .

Voted That there be allow'd thirty six shillings & three Pence to the Honble Ellis Huske, Esq. in behalf of ye Com^tee for taking a survey of Fort Willm & Mary in full of their account for that service to be paid out of ye Interest of y^e £25000 Loan. Sent up by . . . . .

The House adjourn'd for two Hours.

July 3, 1745, P. M.

The House met according to adjournment.

A Bill intitled an act in addition to an act for ye settlement & Distribution of ye Estates of Intestates & an act for ye equal Distribution of Insolvent Estates having been read three times,

Voted That it pass to be Enacted. Sent up by Messrs Jennes, Sanborn & Davis.

Voted, That there be allow'd to Coll. Peter Gilman Esq. the sum of eight Pounds eleven shills. & five Pence farthing in full of his acc^t as Captain Clerk & Commissary for scouts &c. last year, to be p^d out of ye money in the Treas^y by Prov. Tax last year for defraying the charge of the Government.

Voted, that there be allow'd ten shills. to Capt. Geo. Veazey jun. in full of his acc^t for a man Horse to carry Provisions to Epsom by Coll. P. Gilman's order to be paid out of the money in Publick Treasury by Prov. Tax last year for defraying ye charge of the Government.

[P. 248.] Voted That John Gage Esq. be allow'd six pounds two shills. & 5 1-2*d* in full for his service & trouble as Commissary & taking care of scouts &c. last year to be p^d out of ye money in the publick Treasury for defraying of ye charge of ye Government. Sent up by Capt. Jennes. The House adjourn'd 'til tomorrow 9 o'clock.

Thursday July 4th 1745, P. M.

Met according to adjournment.

Voted, That Mathw Livermore Esq. be allow'd five pounds ten shillings in full of two accts for service to this day. Sent up by Capt. Jennes.

Voted That Willm Parker Esq. be allow'd ten Pounds fifteen shills. in full of his acct for service to this day. Sent up by Capt. Jennes.

Voted That there be paid unto ye officers & soldiers by a former Establishment at Fort Wm & Mary out of ye money in the Treasury for defraying the charge of the Government fifty six pounds five shillings in full for one year & an half Salary or Pay to the 25th of March last Past. Sent up by Maj. Davis.

Voted That there be allowed to Mrs. Sarah Priest ye sum of fifty shills. in full of her acct for ye use of her room &c. to this day to be pd out of ye money in the Publick Treasury for defraying the charge of the Government. Sent up by Capt. Jennes.

Voted, That there be pd unto Benjn Akerman door keeper ten pounds out of ye money in the Publick Treasury for defraying the charge of the Government in full for his service of one year to the fifteenth of Apl 1745. Sent up by Maj. Davis.

Voted that Eleazr Russel Esq & Capt Israel Gilman be a Comtee of this House to join with such as may be appointed by ye Honble [P. 249.] Council to farm out ye Excise for the year from the 15th of May last past at Public Vendue to ye highest Bidder to be pd half yearly & to take good security from the Person or Persons to whom it may be sold & deliver ye Bonds to the Treasurer for the time being to whom the Bonds must be made payable for ye use of the Province. Sent up by Coll. Wallingford.

The House then adjourn'd for two Hours.

July 4th 1745, P. M.

Met according to adjournment.

Voted That the Bill for ye Relief of Prov. Prisoners for Debt pass to be enacted, it having been read three Times.

A motion being made by one of ye members & seconded by others to have the foregoing vote reconsider'd & after Debate thereon ye Question was put & voted in the affirmative.

Voted, That ye Reconsideration be suspended to a farther Day.

Voted That Peter Gilman Esq. Mr. Henry Sherburne, jun. & Mr. Meshech Weare be a Comittee to audit ye Treasurer's accounts.

Willm Parker, Esq. bro't into ye House the Petition & other Papers of Danl Jackson & a Bill in answer to sd Petition & pray'd (as a'torney to sd Jackson) that sd Bill might pass to be enacted as soon as may be.

Voted That there be allow'd the Honble Saml Smith, Esq. Eleven Pounds ten shills. & one Penny in full of his account as

Clerk & Commissary from May ye 25th 1744 to this day to be p^d out of the money in ye Publick Treasury for Defraying the charge of the Government.

[p. 250.] Mary Ayers her account being read praying allowance for wood, candles &c. for ye Genl Assembly:

Whereas Mr. Packer is to supply ye forementioned things & s^d Mary being his Tennant,

Voted That said account be dismissed.

The Petition of Maj^r Step^n Greenleaf praying an allowance for Wine & other Tipple at ye Celebration of ye Nuptials of ye Prince of Wales with ye Princes Saxegother being read,

Voted That s^d Petition be dismiss'd.

Voted That Maj^r Greenleaf be allow'd twenty shills. & four Pence half penny in full for Entertaining Joseph Basford & keeping Mr. Busteed's horse to be paid out of the money in ye Publick Treasury for defraying ye charge of ye Government. Sent up by . . . . .

The House adjourn'd 'til tomorrow 9 o'clock.

Fryday July 5, 1745, A. M.

Met according to adjournment. His Excell^y having laid Gen. Pepperell's & Coll. Moore's Letters & other Papers before the House informing of the Reduction of Louisburgh (1).

Voted That Mr. Speaker Stevens, Coll. Peter Gilman, Coll. Thos Wallingford, Mr. Mesh^h Weare, Maj^r Thos Davis, Nathl Rogers, Esq. Capt. Israel Gilman, Mr. Henry Sherburne, jun. be a Com^tee to wait on and congratulate his Excellency on s^d happy occasion.

[p. 251.] Whereas his Excellency by Express has this morning rec'd advice from Lieut. Genl Pepperell & Coll. Moore of ye surrender of Louisburgh to ye obedience of his Brittanick Majesty, our most gracious Sovereign, &c. which Letters have been laid before this House: To show how much ye Reduction of this Place has been at *Hart* & our joy thereat,

Voted, That there be p^d unto his Excellency's order out of ye money in ye Publick Treasury for the use of the Expedition twenty five Pounds to make such publick Entertainments in ye Town of Portsm^o & at his Majesty's Fort Willm & Mary as he shall think proper on this occasion. Sent up by Mr. MacMurphy, March & Weare.

The Secretary came into the House & s^d his Exc^y had adjourn'd the Genl Court 'til tomorrow 9 o'clock.

(1) These letters and papers cannot now be found. See, however, letters of Gov. Shirley's correspondence in subsequent pages of this volume. Louisburgh was reduced by degrees and surrendered, June, 1745.—Ed.

Saturday July 6th 1745.

Met according to adjournment.

Voted That there be allow'd Ten Pounds, fourteen shills & three Pence to Capt. David *Tlorney* & others for their service & for ye use of two Gundloes in landing ye ordinances & stores by his Excellency's orders to be pd out of ye money in ye Publick Treasury for the Defence of the Government & for further carrying on ye War. Sent up by Capt. Jennes.

Voted That there be allow'd unto ye several Rye men under the care of Sargeant Lock in landing the ordinance &c. the sum of seventeen Pounds fourteen shills. in full for their service to be pd out of ye money in the Publick Treasury for the Defence of ye Government & for further carrying on the War. Sent up by Capt. Jennes.

Voted, That John Macmurphy Esq. & Coll. Thos Wallingford [p. 252.] Esq. be a Comtee of this House to join with such as may be appointed by ye Honble Council to take a view of & enquire into the circumstances of that Part of this Province lying upon Connecticut River & ye Parts adjacent & make Report to ye Genl Assembly as soon as may be & that they be allowtd each seven shills. & sixpence pr Day for wages & Expences. Sent up by Capt. Jennes.

Mr. Secretary came into the House & sd he was directed by his Excellency to lay before ye House a Letter of Govr Shirley, Dated July 3d, 1745 (which he had forgot to do before) representing the necessity of sending Powder, Provision &c. to Louisburgh & desiring his Excellency to secure as much Powder &c. as is possible.

Governor Shirley's Letter.

[Copied from "Belknap Papers," p. 231, in Library of N. H. His. Soc.]

Boston, July 3, 1745.

Sir —

I have now the Pleasure to send your Excellency by Express the news of the Reduction of Louisbourg to the obedience of his Majesty, & the surrender of it accordingly: But to maintain our conquest there, which is of the utmost importance, will require the assistance of all his Majesty's Colonies & Provinces in North America, for furnishing men, ammunition & Provisions for garrisoning & defending the place till his Majesty shall order Troops from Great Britain, or otherwise signify his Pleasure in this affair; and I apprehend this to be the most critical juncture for securing it from the attempts of the Enemy to recover it; For it cannot be doubted, but that the French King will soon send a strong force both of ships & Troops to reduce it, before we can be well secured in the Possession of it; and you may reasonably judge that this Province is already drained of men, Provisions & Ammunition; However we are still so heartily engaged in this service that we have lately sent four hundred Troops, who, I suppose arrived at Louisburg since the surrender of it, besides upwards of sixty seamen for manning his Majestys ship Vigilant, & have about two hundred soldiers more Embarked & ready to embark, whom I shall get away with all possible Dispatch; and I cannot but hope your Excellency & the General Assembly of New Hampshire will in duty to his Majesty, & in regard to the common Interest of all his subjects in North America, make provision for the raising of a number of soldiers im-

mediately for this service & have them transported without Delay; and likewise give orders for the taking up & purchasing all the Gun Powder & Provisions that can be got for the Garrison at Louisbourg & the Ships employed there, of both which they are in want, as the General and Commodore inform me, as also Provisions for the French Prisoners to be sent home to France; and as this will require a vast quantity (of Provisions especially) It is my opinion that no Provisions ought to be allowed to be shipt off from the Plantations where they are raised, to the West Indies or any foreign parts whatsoever, till this want be supplied. It will also be requisite that all the Gun Powder that can be found in your Province, except what may be absolutely necessary for your own defence, should be secured for his Majesty's service, and I should think if your Excellency will employ some Merchants in your place for the purchasing of the Powder who will be able to find it out better than your own officers, it will be a likely method of procuring a good quantity of it, of which this Province is almost entirely exhausted, having sent off for the Expedition against Louisbourg about twelve hundred barrels, and I hope that you will consider that both the Garrison & ships will want a considerable supply.

I am, Sir,
Your Excellency's most obedient
humble servant,
W. SHIRLEY.

To his Excellency
Benning Wentworth, Esq.

[To which is added in the hand of Gov. Shirley:]

The above is a Circular Letter calculated for the Gov^rs of all the Colonies as far as Virginia, so that *some* of the particulars of it are not so well suited to the great share and trouble your Excellency has had in promoting this Expedition.—wch you will be pleased to excuse—I must own I am in great anxiety least this invaluable acquisition should be instantly snatched from us, by a large body of Troops being landed soon from old France and Canada before our Forces are supplyed with a sufficient quantity of Provisions and warlike stores, which would be fatal, let the Naval force be never so strong. I doubt not but you will get as many men rais'd & dispatched away as possibly may be from your Governm^t: and I must beg of you in particular to secure what powder is possible to [be] had at Portsmouth. Inclosed are some packetts for your Exc^y (together wth some others) one of which I must beg your pardon for having opened by mistake in an hurry between two & three o'clock in the morning. I will endeavour to send you by next Post an answer to your last Letter, and hope you will be pleased to Excuse me in the mean time. The General writes me word y^t they were under apprehensions of a Body of 2500 Indians being upon the march and near landing on Cape Breton, and y^t they were preparing for their reception, and demolishing the late camp and drawing in all the Guns of our late Batteries. I sincerely rejoice with you upon our success hitherto, and hope it may be a good omen of farther success.

[Indorsed]—"Govr Shirleys Letter July 3, 1745."

Mr. Secretary bro't with him also the Petition of Mary Sherburne of Portsmouth, widow, representing some illegal management of her son Joseph concerning a certain mortgage and so forth, which being read—

Voted That ye Petitioner be heard on her Petition on the third day of the sitting of this Court after ye first of Aug^st next & that the Petitioner serve her son Joseph with a copie of s^d Petition & this order of Court, & notify him to appear and shew cause if any he has why ye Prayer of ye Petition should not be granted.

The Secretary came again into ye House and desir'd to know if the House had done any thing concerning the matters mentioned

in Govr Shirley's Letter, and whether the House would augment ye Reinforcement voted to be sent ag^st Louisburgh & that the Council were of opinion the King would pay all the charge of the Expedition against Louisburgh since ye Reduction of it, if not the whole. The Secretary said also, That the Excise Act was pass'd & assented to.

[P. 253.] In answer to his Excell^ys message by Mr. Secretary to know ye opinion of ye House about sending the Reinforcement for the army at Cape Britton & whether if twenty men more than ye hundred appear'd the House were willing they should be sent,

Voted, That the Reinforcement be sent away with all possible Dispatch & that if twenty men more or any smaller number appeared as voluntiers they also be sent with them at the publick expense.

Mr. Speaker came down & said his Excellency required ye attendance of ye Speaker & the House in the Council Chambers to which Place they repair'd immediately & then were adjourn'd 'til Wednesday ye 24th Instant, 10 o'clock, A. M.

Wednesday July 24th 1745.

Some of the members met according to adjournment, but there not being a Quorum of the House, adjourned 'til 3 o'clock P. M.

Met according to adjournment, and ordered that Coll. Peter Gilman & Mr. Zebulon Giddinge be desired to inform his Excellency that there is a House; who return'd that they had inform'd him accordingly.

Mr. Secretary came into ye House & said he was directed by his Excellency to lay before the House sundry Letters, viz. one from Genl. Pepperrell of ye 9th July, one of the 24th June from Commodore Warren, & one from Coll. Moore of ye 9th July, and a Pass sign'd by Genl Pepperrell & Com. Warren (1)

[P. 254.] The Secretary also said that his Excellency desired to know what the House tho't to do with ye French people lately bro't from Cape Breton.

Voted That his Excell^y ye Capt. General be desired to inlist or impress & immediately send out thirty good effective men more than what are already voted, on ye same Establishment of the men last granted for guarding & scouting the Frontiers, to be by him with those formerly voted & not yet sent out, forthwith imploy'd til ye last of August in scouting; twenty of ye said thirty between Salmon Falls River & Merrimack River. Sent up by Mr. Giddinge.

Adjourn'd till to morrow 9 o'clock.

(1) It is matter of much regret that none of these letters can now be found in the Archives of the State.—ED.

Thursday July 25th 1745, A. M.

The House met according to adjournment.

Mr. Secretary came into the House & said he was directed by his Excellency to lay before the House the Resolves of a Council of war voted at Louisbourg June 24th 1745, & a Report of a Comtee of ye House of Represents of ye Masstts to their Comtee of war, dated July 20th 1745.

Resolves.

[Copied from MS. "Belknap Papers," p. 232.]

At a Council of War held at the Citadel in the City of Louisburg, June 24th 1745. ADVISED:

That whereas many Breaches are made in the Walls and Buildings of the Town and Batteries of Louisbourg, by our artillery, and the Circular Battery which did very much command the Harbour is render'd intirely useless without Repair, and as the summer is the only season that such works can be effected here; the Walls, Citadel, Hospital, Magazines, Kings Storehouses, and other the King's Buildings, also the Batteries of the town, and the Grand and Island Batteries be Repaired;

That the said works and Repairs be forthwith begun by the army.

That the artificers employed for this purpose be allowed and paid seven shillings and six pence pr Day, New England currency, old tenor, for their labour;

That common Labourers be allowed and paid five shillings pr Day, said currency for their labour.

That the Government of the Massatts Bay, Connecticut and New Hampshire, be informed as soon as may be of this Resolution, and application be made to them at the same time to pay the aforesaid Labourers their Quota in proportion to their Number of Troops in the army; Also to signifie their pleasure relating to their going on wth said Repairs.

Copy examined by

B. Green, Secy.

At a Council of War held at the Citadel in the City of Louisbourg, July 1st 1745.

ADVISED,

That although the necessity of some Repairs being immediately made in the Walls and Buildings of this City and Batteries have influenced the Council to advise that said Repairs be forthwith begun by the army, and that the several Governments who sent Troops in the Expedition should be applied to for payment of the same, in Expectation that they would be pleased to allow the Exigency to be a Sufficient Reason therefor; yet as Commodore Warren has been pleased to offer to join with the General in representing the necessity of those Repairs to his Majesty, and in drawing Bills on his Majesty's Treasury for paying the artificers & Labourers employed in effecting the same;—It is therefore most expedient that the General do accordingly join with Commodore Warren in such a Representation to his Majesty, and in drawing Bills for the payment of the workmen in making what Repairs are absolutely necessary, till his Majesty's pleasure be known.

Copy Examined by

B. Green, Sec'y.

Report of the Committee of War.

[Copied from MS. "Belknap Papers," p. 235.]

The Committee to whom was referr'd that part of His Excellency's speech which relates to the Expedition, having maturely considered the same, are humbly of opinion, and make Report:

That it is of great importance that the Damage done by the army to the Fortifications and other Buildings in the city and Harbour of Louisburg be immediately Repaired, and that it is absolutely necessary that a competent number of the Forces be supplyed with sufficient Provisions & warlike Stores until his Majesty's pleasure can be known.

That it is Incumbent upon & for the Honour & Interest of this Government to continue to advance such sums as may be requisite for securing and maintaining for his Majesty this invaluable acquisition, and that therefore the Committee of War be directed to provide all necessary materials for effecting the aforesaid Repairs, and cause the same with all convenient speed to be transported to the General at Louisburg and that they likewise furnish him with the sum of Two thousand Pounds in Bills of Credit of this Province to be paid by such persons as he shall appoint to the workmen Employed in said Repairs, the said Persons to be accountable for the same.

And with respect to the Warlike Stores & provisions the Committee Report that a large Quantity of Powder and other Stores has been sent from this Government which was not arrived at the time of the surrender of the place, and that the present circumstances of this Province will not admit of any further considerable Quantity of Powder being sent from hence until a further supply shall arrive.

That a large Quantity of Provisions has also been transported to Louisbourg, but as a considerable part of the Army's Stock must have been employed for the Transportation of the French Inhabitants to France, the Committee are therefore of opinion that a further supply may be necessary, and that the Committee of War be directed to procure such a Quantity of each species, as with what is already provided shall be sufficient in their judgment to subsist such a part of the Garrison sent from this Province as shall be judged necessary to remain there for three months from this time.

And as the army are in great want of cloathing the Committee likewise report, That the said Committee of War be directed to make further Provision in this regard and cause that the army be supplied on the most reasonable Terms.

The Committee further Report, That the Committee of War be enabled and directed to pay one months wages to the order of each of the officers & soldiers of the first Enlistment sent from this Province & who are *sui Juris* (1) and to the masters and Parents of each of those who are servants or under age upon its appearing to said Committee of War by certificate from the Commissary of each Regiment, and the General Commissary that such officer & soldier has one months pay remaining due over and above what he has yet receiv'd or taken up, and that Letters be sent to the Governments of Connecticut and New Hampshire acquainting them with the Resolutions of this Court that they may also provide for their proportion of the Forces as they see cause.

By order of the Committee

J. Osborne.

In the House of Representatives, July 20th 1745.

Read and accepted, Also voted That a congratulatory Address be prepared to be presented to his most Excellent Majesty upon this acquisition to his Majesty's Dominions. Also a Petition to his Majesty for Relief under the

(1) Literally, "of their own right,"— being of lawful age.—Ed.

heavy burthen occasioned by the said Expedition. And the Committee of War are directed to prepare the Address and Petition accordingly.

Sent up for concurrence. T. Cushing, Spk^r.

In Council, July 20, 1745.

Read and concurred J. Willard, Sec^y.

Consented to — Wm. Shirley.

Copy Examined by J. Willard, Sec^y.

Voted, That John Gage Esq. Peter Gilman, Esq. and Mr. Henry Sherburne jun. be a Com^tee to wait on his Excellency & confer him about ye two French prisoners that have been in this Prov: some time, and those captives lately arrived who surrender'd upon Capitulation. The Com^tee return'd & Report that they had waited on his Exc^lly & that his Excellency said he knew nothing more of the affair than he had laid before the House. [p. 255.] But he was of opinion it would be best that they should be transported to France as soon as may be, and think ye charge of Transporting them will not finally be born by the Province, tho' he thinks it must be at present.

Voted, That Mr. Speaker Stevens & Mr. Henry Sherburne, jun. be a Com^tee of this House to join such as may be appointed by the Honble Council to prepare a Congratulatory Address to be presented *by* his most Excellent Majesty upon ye Acquisition of Cape Briton & its Dependencies to His Majesties Dominions, also a Petition to his most Excellent Majesty for Relief under the heavy Burthen occasion'd by ye Expedition ag^st Louisbourgh, and lay the same as soon as may be before the General Assembly for their approbation. Sent up by Maj^r Davis.

The House adjourn'd for two Hours.

P. M. The House met according to adjournm^t.

Muster Roll of eight men under the command of John Huggins of Durham, begun July ye 11th 1745 to scout in ye woods about Rochester to Winipissioke.

John Huggins	14 days	£1 : 5 :
Edward Leathers	14	12 : 6
Abel Leathers	14	12 : 6
James Brown	14	12 : 6
Moses Varney	14	12 : 6
Joseph Lanley	14	12 : 6
Danl Hays	14	12 : 6
Charles Baker	14	12 : 6
Ephraim Alley	14	12 : 6
		£6 : 5 : 0

All found Provisions &c. by ye Government. Rec^d of Col. Smith.

John Huckins.

Sworn to before the House.

[p. 256.] Voted That Mr. John Huggins & ye eight other men in the above Muster Roll be allow'd the several sums annexed to their names, amounting to six pounds, five shillings, which shall be in full for s^d Muster Roll to be paid out of ye money in the Publick Treasury for the Defence of ye Government. Sent up by Coll. Wallingford.

Mr. Secretary bro't into the House a Letter from Jo^n Thomlinson, Esq. (1) dated ye 3^d Octo^r 1744, which he said his Excellency directed him to lay before the House & desir'd to know whether the House would do any thing concerning ye Powder mention'd in s^d Letter & if they did do any thing his Excellency would be glad to know what it was that he might write Mr. Thomlinson agreeably thereto.

The House adjourn'd til tomorrow 9 o'clock.

Fryday July 26th 1745, A. M.

The House met according to adjournm^t.

Voted, That Mr. Henry Sherburne jun. & Thos Bell Esq. be a Com^tee to join such as may be appointed by the Honble Council to make the necessary Provision for the Transportation of the French people lately imported here to France, agreeable to the Articles of Capitulation upon surrendering of the city of Louisbourgh, & such others as may be bro't here in our Transports in the Recess of the Genl Assembly, or as the Genl Assembly may order to be transported & that the s^d Com^tee make provision for the subsistance of s^d People in the most frugal manner they can till their Imbarkation, and that money be paid to the s^d Com^tee by his Excellencys warrant with the advice of the Council, out of [p. 257.] the money provided by the six thousand Pounds to defray ye charge thereof.

Sent up by John Macmurphy, Esq.

Mr. Secretary came down & said his Excellency was of opinion 'twould be best that the thirty men voted the 24th Instant to scout &c should be kept out for a month from the time of their being inlisted or impress'd, and that ye Council were of opinion that the middle of Septr would be the most Dangerous season & that the Treasurer had no Pork. Upon which it was

Voted, That Coll. Wallingford & Coll. Gilman be directed to wait on his Excellency & pray that the men granted to scout, &c. might be sent out as soon as may be. The said Gentlemen Re-

(1) This letter of Mr. Thomlinson cannot be found.—Ed.

port that they had waited on his Excellency & that he said he would order the s^d scouts out as soon as possible and that he desir'd there might be Provision made for keeping the s^d men out longer than 'til ye last of August if it should be found to be necessary.

Whereas there was a vote pass'd in this House the 24th Curr^t by which thirty men were added to the forty-five before voted for scouting on & guarding ye Frontiers 'til the last of Aug^st next and whereas it appears that there may probably be occasion of ye s^d number of men a longer time,

Voted, That if there should be occasion thereof in ye Recess of ye General Assembly his Excellency the Capt. General be desir'd to imploy the said number of seventy five men or any part of them for one month longer in the same manner & Places as mentioned in said votes. Sent up by Clem^t March, Esq.

Voted That his Excellency the Governor be desired to direct the Treasurer to lay before this House ye acc^t of what Powder [p. 258.] money has been received by virtue of the Law of this Province since he has been Receiver thereof & how the money has been disposed of: Also that his Excellency may be desired to direct the Treasurer to lay ye other publick accounts before the Genl Assembly as soon as may be. Sent up by Mr. Giddinge.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Whereas this Government rais'd equipp'd & transported three hundred & fifty volunteers on the Expedition for ye Reduction of Louisburgh, which much exceeded their Proportion of the numbers sent by ye other Governments, and whereas by the blessing of God the s^d Louisburgh is reduced to the obedience of his Majesty our most gracious Sovereign; since which by virtue of an Act of the Genl Assembly made & pass'd before the advice of the Reduction thereof, this Government have rais'd equipp'd & transported 120 volunteers more as a Reinforcement of the army; and whereas by Letters from Coll. Moore it appears that 2500 men are tho't sufficient to Garrison the Place; and whereas ye 120 men last transported will be more than the Proportion of this Government for garrisoning thereof, and inasmuch as we are in dayly Expectation of a Indian war when all our men will be wanted:

Voted That his Excellency ye Capt. General be desir'd as soon as conveniently he can to recal the first inlisted & transported voluntiers that his Majesties good subjects of this Province may in some measure be eased & the men of the difficultys & Hardships they labour under. Also that his Excellency be desir'd to do what he can towards ye speedy Return of those men which were inlisted in this Government & sent away in the Pay of the Massachusetts (1). Sent up by Mr. Weare.

(1) See "Memorial of Field Officers," &c, which soon follows.—Ed.

Muster Roll of the Companies in Colonel Moore's Regiment, sent by Lieut. General Pepperill from Canso.

[Copied from MS. "Belknap Papers," p. 225.]

Colonel, Samuel Moore
Lieut Colonel, Nath[l] Meserve
Major, Ezek[l] Gilman

Captains.	Number of men (Including Lieuts & Ensigns)
Sam[l] Whitton	45
T. W. Waldron	41
True Dudley	53
Tufton Mason	42
William Seward	45
Daniel Ladd	38
Henry Sherburne	22
John Furnell	39
Samuel Hale	44
Jacob Tilton	37
Edward Williams	36
	442
Deduct 11 Lieuts & [11] Ensigns	22
Remainder of private men	420
New Hampshire Quota	350
Massachusetts Quota, to be aggregated to New Hampshire Regiment.	70

[p. 259.] Voted, That Capt. Henry Sloper be allow'd twenty one shills. & nine pence in full of his acc[t] for carrying a Proclamation for Thanksgiving to Isle of Shoals 1732, to be paid out of y[e] money in the publick Treasury for defraying the incident charges of y[e] Government. Sent up by Coll. Wallingford.

The House adjourn'd 'til to morrow 9 o'clock.

Saturday July 27th 1745, A. M.

The House met according to adjournment.

Voted That Henry Sloper be allow'd twenty shillings more in full of his account for the Heir of his Scooner & his personal service in carrying y[e] Lieut. Governour &c. to Casco Bay to ratify the Peace with the Indians in June 1747 to be paid out of y[e]

money in ye publick Treasury for defraying ye charge of the Government. Sent up by Coll. Wallingford.

Voted That Atkins Kennard be allow'd ten shillings in full of his acc^t for haling ten chests &c. for the French people lately arrived from Louisbourg to be transported to France, to be paid out of the money in ye publick Treasury for the use of ye Expedition. Sent up by Coll. Wallingford.

Whereas the Establishment for the 120 men for the Reinforcement of ye army at Louisbourg provided for them but two months,

Voted That the Com^tee for the s^d Reinforcement of 120 men make Provision for their subsistance one month longer, & if necessary cause the same to be transported to Louisbourg in proper season that they may not suffer for want thereof.

Voted That Benjn Tomas of Portsm^o be allow'd 18*d* pr Day for subsistance & attendance for six weeks from ye Expiration of one month's allowance made him ye 22^d of June 1745, to be paid out of the money in the publick Treasury by ye 13000£ act for contingencies.

[P. 260.] *Address to his Majesty.*

To the Kings most Excellent Majesty.

Most Gracious Sovereign, We your Majesties most dutiful & Loyal subjects the Council & House of Representatives of your Majesties Province of N. Hampshire in New England convened in Genl Assembly most humbly beg leave to express our grateful Acknowledgements for all the many great & invaluable blessings we enjoy under your Majesties most auspicious Reign; more especially now for your Majesty's Royal munificence & gracious Bounty in sending to this Province artillery & warlike Stores so necessary at this Time for the defence of your Majesties subjects from the Invasion of your Majesties Enemies, which they had projected & we might have suffered if they had not been prevented by ye seasonable Expedition enterprised & carried on by your Majesties northern Provinces against Louisbourg (in which your Majesties little Province of New Hamp^r bore a large share exceeding their ability) out of their Loyalty & Zeal for your Majesties service.

And we now most humbly crave leave to congratulate your Majesty upon the success of your Majesties arms in that attempt in reducing that strong & important Fortress to subjection unto your Majesty which may be a means of recovering that profitable Branch of ye British Trade, ye Fishery to your Majesties subjects & ye safety of your New England Provinces secur'd from the Invasion of your Majesties Enemies. May Heaven always direct your Majesties Councils, prosper your Majesties arms & preserve your Royal person in safety, Health & Glory and continue the Blessings we enjoy under your Majesties most wise and happy Reign & transmit ye same in your august [P. 261.] and Royal House to latest Posterity, is the constant and ardent Prayer & sincere Desire of your Majesties most dutiful & loyal subjects.

Voted, That the foregoing Address be presented to his most Excellent Majesty & that the Committee for addresses be directed to forward it to the agent by the first opportunity, by him to be presented.

Mr. Secretary came into the House and said his Excellency directed him to inform the House that he had adjourn'd the Genl

Court to Tuesday the twenty fourth day of Sept. next at 10 o'clock A. M. & in his Majesties name declared this Court was adjourn'd accordingly.

[Copied from MS. Corr. in Secretary's office, Vol. I, p. 245.]

THE MEMORIAL of ye Field officers, Capts & Subaltern officers of the New Hamp^r Regiment now at Louisbourg, under the Comand of the Honble Lt. General Pepperell, Esq. To his Excellency the Governor & the Honble the Council & House of Representatives of said Province: *Humbly sheweth,*

That those of s^d Regiment who have been here during the siege, they are of opinion should be released, that they may return to their Native Country, for Reasons too many herein to Enumerate, shall therefore mention only one or two, & leave the others, of which you may be informed by those Gentlemen who wait on your Excellency & Honours with this: First then the men are almost naked & will be quite so before winter. Secondly, their wages are too inconsiderable to induce them to stay.

And whereas it has been tho't that a Number of the Americans must garrison the city & Fortifications of Louisbourg till the spring, by Reason his Majesty's Pleasure is not known; & we apprehending that a part of the men will be part of those which belong to New Hampshire & are now in the Pay of s^d Province at s^d City,— We have therefore tho't proper to send Messrs Waldron & Prescot, by leave of the Comander in Chief of said City, to lay before your Excellency & the Honble the Council & House of Representatives, what we conceive is necessary to be done in that case for s^d men, viz. That those who must tarry (if any) should have their wages augmented in such manner that they may not be sufferers; That they have proper cloathing sent to secure them from the inclemency of the weather in this Northern climate, which we are assured, is extreme cold and stormy for five or six months in the year, by sundry of the French Gentlemen, who many years past have been Inhabitors of this City; That they also have proper Beding, with sacks of straw in lieu of Beds afforded them, with such other things as those Persons shall Evince to you to be Reasonable for said men, and your Memorialists shall, as in Duty bound, ever Pray (1).

Sign'd at Louisbourg. Aug^st 9th 1745

NATHL. MESERVE
EZEKL. GILMAN

Captains.	Lieutenants.	Ensigns.
James Whidden.	Ezekiel Pitman	Henry Montgomery
Jacob Tilton,	Jonathan Folsom	Ezekiel Worthan
John Furnell	Moses Sleeper	Jeremiah Veasey
Saml Hale	Richd Mattoon	Thos Newmarch
. . . . . (2)	Nathl Fellows	Jacob Merrill
John Light	John Flagg	Edmund Brown
John Lare	Sam. White.	Joseph Sleeper
Daniel Macgregore		Ezekiel Pitman jun.
Jonathan Prescott		Daniel Wormall.
Edward Williams		
William Seaward		
Jos. Sherburn		
George Meserve		

(1) See a list of Col. Moore's Regiment, officers and men, in *Potter's Mil. Hist. Adj. Rep. Vol. II*, 1866. *pp.* 63-72.—ED.

(2) A name appears to be cut out.—ED.

[P. 265.] Tuesday, September 24th 1745.

Some of the members met according to adjournment but there not being a Quorum of ye House they adjourned 'til 3 o'clock afternoon.

3 o'clock P. M.

Met according to adjournment.

Mr. Secretary bro't into ye House his Excellency the Governours speech which is upon file, also a Letter from Govr Shirley Dated Louisburgh, Sept. 2d 1745, Govr Clintons Letter &c & ye Indians accts of what passed between ye Govr of Canada & them at Montreal Augt 24th 1745, Coll. Moores Letter of 4th Sept. 1745.

Governor's Message.

[Copied from MS. "Governor's Messages," Vol. I, p. 363,]

Gentlemen of the Assembly,

I think it necessary to acquaint you that upon the Massachusett's Government's declaration of war against the Canada & Eastern Indians I tho't myself indispensably obliged for the safety of his Majesty's subjects, to declare war against the said Indians, and such as are, or may be, in confederacy or alliance with them, which declaration I caused with the advice of his Majesty's Council to be published with the usual & customary solemnities on the like occasions. It remains with you to make provision to carry on the war with the utmost vigor, and in such a manner as may be most distressing to the Enemy & least burthensome to the Province.

I shall lay before you his Excellency Governour Clinton's letter, and the papers he refers to therein, which principly relate to an Interview he has appointed at Albany with the six Nations as they are commonly termed. How much it will be the interest of this Province to gain the friendship of these six Nations, is so evident, that it will be looseing time to use arguments to persuade you to your duty and Interest herein. I make no doubt therefore but you will esteem it the highest act of Prudence for this Government to interest themselves in a present to be made at this meeting under the direction of a proper person or persons duly qualified to Represent the Province.

I shall also lay before you his Excellency Governour Shirley's letter of the second of this month from which you may be apprized of the State of the Troops in the pay of this Government, and how necessary it is to provide for so many as shall remain the ensuing Winter, for the Protection of the city of Louisbourg, & the Battery thereon depending, and consult any thing else that may contribute to their comfortable subsistance.

Collo Moore ought to have given me an exact account of the number of our Troops destined to remain there the winter season, but by his letter which you will herewith receive, it will appear how deficient he has been in that point wch I attribute to the uncertainty of any troops arriving from England this Fall.

I can't omit observing, that it has given me great concern, that no order of the General Assembly was subsisting to enable the Treasurer to make immediate payment to the Troops, upon their return, of what wages was then due, many of which landed in a manner naked, and all must suppose destitute of money to carry them to their Respective habitations;—I therefore Recommend that a resolve of both Houses may pass for their relief in this case, for it will be high injustice to men who have behaved so bravely in the cause of their King and Country to postpone their just due, 'til the Muster Rolls are exhibited to & allowed by the General Assembly.

Besides this act of Justice, I would further recommend an augmentation of their wages, or an additional premium, as a reward for their faithfull & hard

services. If something of this nature is not done, few will be able with their whole wages to put themselves in the same state, with respect to their cloathing as when they entered into the service, which deserves your consideration, & shall merit my attention.

Since the surrender of the city of Louisburg I think it of absolute necessity for the service of the Province, that all Expences attending the defence of the City, reinforcing the regiment & provisions of all kinds, should be kept in a seperate charge from the charge that arose on the first setting out the Expedition, there being a greater probability that his Majesty will defray that than the whole; & if the whole is concluded in one account, it may be difficult to distinguish the charges.

B. WENTWORTH.

Council Chamber in
Portsmouth, Sept. 24th 1745.

Governor Shirley's Letter (1).

[Copied from "Belknap Papers," p. 240.]

Louisburgh Sept 2d 1745.

Sir.—His Majesty's service upon several accounts requiring my Presence here a few weeks, for securing our new acquisition, till his Majesty shall have an opportunity of taking it into his own protection, I set sail in his Majestys ship Hector, from Nantasket, on Saturday night *pas* month, and arrived here on Fryday Evening *pas* Fortnight, where I have been endeavoring, in the best manner I can, to settle the State of the land Forces, and to act for the Interest of the common cause of the Colonies concerned in the Expedition in every respect. Upon looking into the State of the Massachusetts and New Hampshire Tróops I find it to stand thus: The Massachusetts Government sent into the service of the Expedition, upon the first Enlistment, including the Troops in their pay which were aggregated to your Regiment the train of Artillery and workmen, thirty three hundred men, of which twelve hundred and thirty eight are return'd home, ninety five are killed and fifty seven died natural deaths, so that of those soldiers there remain here nineteen hundred and twelve; since which Enlistment the Massachusetts Government have voted a thousand men more to be rais'd for the service, of which about seven hundred are actually raised and arrived at Lonisburgh, so that there are in the whole about twenty five hundred Massachusetts Troops now upon Duty within the Garrison and Batteries here, and the remaining three hundred are now raising with the utmost Dispatch, to compleat the last thousand, and relieve some more of the Massachusetts Troops.

Your Excellency sent hither, upon your first Enlistment 308 soldiers of which 169—including the Invalids now sent—are returned home. *Six* have dyed natural deaths, and *five* have been killed, so that of those first Enlisted Troops 139 are now remaining here; since which first Enlistment 115 more Troops have been raised and sent hither from your Government, and *Two hundred & fifty four* Troops are now upon Duty within the Garrison and Batteries here. By this account your Excellency will perceive that the Quota of your Government in proportion to that of the Massachusetts Bay, according to the several Levies raised by each Government for the service of the Expedition is as 308 to forty three hundred; and how much larger a proportion of the New Hampshire Troops of the first Enlistment have been dismissed than of those of the Massachusetts Government upon the same Enlistment, and how much larger a part of the Quota of the Massachusetts Troops raised & voted to be raised is upon Duty here than of the Quota of your Government; upon which I doubt not but your Excellency will observe my own and the General's disposition to do full Justice to the New Hamp-

(1) The other letters cannot now be found.—ED.

shire Troops, and that your Government will continue to act in concert with that of the Massachusetts Bay, with the same vigour that you have hitherto done for the common cause. The preservation of this invaluable acquisition till his Majesty can have an opportunity of taking it into his protection, upon which I esteem the prosperity of New England chiefly to depend, is as necessary as the reduction of the place itself, or even more so, for it would have been better for us never to have reduced it, than to lose it again to the Enemy: And as from the Engagements of his Majesty in Europe in support of the common cause against the Enemy, it seems very possible that no Troops may arrive from Great Britain for the protection of the place till the latter end of May or beginning of June, before which time we must expect the Enemy will push both from Canada and France in the most vigorous manner, for the recovery of it from us, if they don't do it before the end of this Fall (which is not impossible) it behooves us to keep the strictest guard at present, and for my own part I shall look upon the place as lost, if when that happens, whilst the Land side of this Fortress is under the same circumstances it is now in, we have not four thousand men at least for the defence of the Fortifications and Batteries, the former of which are so extensive that no Sallies can be expected to be made against the Besiegers, whilst they are carrying on their works against the Town, with a less number, and without doing which we have had sufficient Experience of the fatal consequences of it to the Enemy; and it shall be my utmost endeavor to procure that complement of Troops for this service by the middle of March at furthest, and keep as strong a Garrison here in the meantime, at all events, as I can. For I depend upon some sudden attempt to surprise us at least by a large Body of French & Indians from Canada, supported with an Embarkation of Artillery, warlike stores and provisions from France, to meet them here, with some few Troops from thence, and a number of officers about that time; and as I think it not improbable that St. John's Island will be the place of Rendezvous for the Enemy in such case, and in all attempts from Canada, and a place of Resort for the neighboring Indians, I shall take measures immediately, for clearing that Island of the French (who have sent Deputies here, with offers to take the Oaths of Allegiance to his Majesty, and a petition that they may be permitted to remain there as subjects of Great Britain) and to burn all the houses and other Buildings which will require a Body of three or four hundred Troops and the armed vessels at least to do it, without danger of being surprised by the Enemy. Coll. Moore will inform you of the necessity of providing proper cloaths of all kinds, and some Watch Coats for your Troops with the utmost Expedition, and twelve months provision, being the same Quantity voted to be provided for the Troops of the Massachusetts Government. I am endeavouring to have the works put into the best Repair they will admit of at present, materials for that purpose being ordered to be bought by the Massachusetts Committee of War, and the workmen to be paid, and to get the Barracks and Houses well fitted up for the comfortable Reception of the soldiers, and a Quantity of Fuel sufficient not only for the Winter, but to last in the Spring against any surprise. Upon the first arrival of his Majesty's commands from Great Britain, your Excellency shall be apprised of them. I shall during my stay do every thing in my power for the common service, as I shall upon my Return to Boston, which I design shall be in about three weeks: and I doubt not of your Governments acting in conjunction with that of the Massachusetts Bay with the same spirit for his Majesty's service and the Interest of New England, with which it has hitherto done.

I am, with great regard, sir,
your Excellencys most obedient
Humble servant.

W. Shirley.

His Excy Gov. Wentworth.

Voted That Coll Gilman & Mr. Sanborn be desired to wait on Excell^y & pray that he would order a List of ye Names of those soldiers return'd from ye Expedition against Louisburgh & the Time of their discharge.

The House adjourn'd til to morrow 9 o'clock.

Wednesday Sept 25th 1745 A. M.

Met according to adjournment.

Voted, That Matt^w Livermore Esq. be allow'd twelve shill^s and six Pence in full of his acct for selling ye Excise Drawing Bonds &c to be paid out of ye money in ye Publick Treasury for defraying ye charge of ye Government. Sent up by . . . . . .

Voted, That Coll. Pet^r Gilman & Mr. Henry Sherburne jun. be a comm^tee to form a vote for ye encouragement of Voluntiers to kill or take Indians being our Enemies.

Voted, That ye Hearings of Capt Jo^s Lock on his Petition be further defer'd til the third Day of the setting of the Genl Assembly after ye first of Novr next at which Time ye Parties are required to attend.

The House adjourned for Two Hours.

[P. 266.] Sept 25 1745, P. M.

Met according to adjournment.

Voted That the Hearing of Daniel Meader on his Petition be farther deferred til ye third Day of ye setting of Genl Assembly after ye first Novr next.

Whereas his Excellency Ben^g Wentworth Esq. Capt Genl Govr & Comm^d in Chief of this his Majesties Prov. of N. Hamp. with ye advice of his Majesties Council for Weighty Reason hath declared Warr against ye Penobscot, Neridgewock, Sain^t Francis, Wowenock St John & Cape Sables Indians & those in confederacy with them,

It is therefore voted that there shall be pd out of ye Publick Treasury for ye encouragement of any Company Party or Person of his Majesties subjects belonging to & residing within this Province who shall voluntarily & at their own proper cost & charge go out in quest of & kill a male Indian of the age of twelve years or upwards of such Penobscot Neridgwock St. Francis Wowenock St. Johns & Cape Sables Indians or of those in confederacy with them or such others as may be found with them at any Time within twelve months from ye Date hereof, (provided ye war should so long continue) & produce ye scalp in evidence of his Death the sum of one Hundred Pounds in Bills of Credit on this Province of ye new Tenor & the sum of one Hundred & five Pounds in s^d Bills for any male of like age who shall be taken captive & delivered to ye order of ye Capt Genl to be at y^e

Disposal & for ye use of ye Government and the sum of fifty Pounds [P. 267.] in said Bills for each woman & ye like sum for children under ye age of twelve years killed in fight & fifty five Pounds in s^d Bills for such when taken Prisoners & ye Plunder & to such Person or Persons of this Province as aforesaid for whom the Province shall provide amunition & Provisions viz. Provisions from ye Day they go forth until they Return to be paid in s^d Bills for each male above ye age of twelve years killd & scalp produced the sum of Seventy five Pounds, and Captives seventy eight Pounds fifteen shillings and for Females & others as aforesd killed & scalp produced Thirty-seven Pounds ten shillings & captives thirty nine Pounds five shillings and to any other ye Inhabitants of this Province & such soldiers as may be imploy'd in ye Pay of ye Province for each male above twelve years old kil'd & scalp'd produced as afores'd thirty Pounds & for captives thirty three Pounds like Bills for a Female & others kill'd & scalp produced fifteen Pounds & captives of the like sort sixteen Pounds ten shillings Provided no payment be made as aforesaid for killing or captivating any Indian as afores'd until Proof be made to ye acceptance of ye Governour & Council.

Sent up by Maj. Davis & Mr. Sanborn.

The House adjourned til tomorrow 9 o'clock.

Thursday Sept 26th 1745 A. M.

Met according to adjournment.

Richd Jennes Esq. & Mr. Mesheck Weare brot into the House ye great money plate & ye back Plate belonging thereto upon which ye House ordered that the s^d Mr. Jennes & Weare keep the s^d Plates in their custody til further order.

[P. 268.] Voted That the Comm^ee of Warr for providing stores &c for ye three Hundred & fifty men first imbark'd on ye Expedition ag^t Louisburg as soon as may be make out a List under their (or ye maj^r Part of their) Hands of what wages is due agreeable to ye votes of Genl Assembly to each officer & soldier & seamen that went to Louisburg on ye Expedition in ye first Imbarkation in ye Pay of this Province that have return'd home again deducting what they have already received of s^d Com^ee & Deliver the same to the Treasurer of this Province who is hereby ordered to pay to each officer & soldier or their legal Representative what shall be found due to each of them respectively by s^d Comm^te as pr s^d List under their Hands as afores^d out of the money in ye Treasury for that purpose, And it is further *voted* y^t there be allow'd to ye widow or Legal Representative of any officer or soldier that lost his life by sickness or otherwise whilst on ye Expedition on six months pay & that ye comm^ee settle ye same accordingly and that what wages shall be found due after what is

received by such officer or soldier as part of their wages is deducted by s^d^ comm^ee^ out of ye six months allowance afores^d^ that ye remaining Part be p^d^ to such widow or Representative respectively out of ye money in ye Treasury for ye payment of officers & soldiers &c and that those officers & soldiers return'd as afores^d^ be allowd to be in ye Pay of ye Province seven Days after their arrival at Portsmouth. Sent up by Mr. Gidding.

The House adjourned for two Hours.

[P. 269.] P. M.—1745.

Met according to adjournment.

Voted That Coll Pet^r^ Gilman, Mr. Henry Sherburne Junr & Mr Meshech Weare be a comm^ee^ to prepare & lay before ye House as soon as may be a vote for another emission of money &^c^ for this Province's Proportion of Garrisoning & support of Louisbourg.

The House adjourn'd til to morrow 9 o'clock.

Sept 27th 1745.

The House met according to adjournment. Mr. Secretary bro't into ye House ye Petition of Selathiel Denbow praying for such further allowance for his being formerly crippled in ye Canada Expedition as ye Genl Court shall think proper, and ye Petition & memorial of ye officers at Louisbourg & *A Supplement thereto signed by* { T. W. Waldron, Jonath Prescott }

Voted That Mr. Henry Sherburne jun^r^ & Mr. T. Bell be a comm^ee^ to agree wth a Doctor in ye Room of & to relieve Doctor Pierce who went Doctor to the N. Hampshire Regiment on ye Expedition against Louisbourg.

The House adjourn'd for two Hours.

1745 P. M.

The House met according to adjournment.

Whereas ye expence & charge which this Government hath been at in carrying on their Part of the Expedition against Louisbourg has already much exceeded the Provision first made for it, and

Whereas it is necessary that a sufficient Garrison be kept there til his majesties royal Pleasure is known of which this Government is willing to bear its full Proportion

And whereas his Excell^s^ ye Capt General by & with ye advice of ye Council has for weighty Reasons declared Warr against y^e^ [P. 270.] Indians which this Government is resolved vigorously to carry on & ye circumstances of ye Province being such at present

that in order thereto it is necessary there should be a new emission of Bills of publick credit & that ye Drawing in & sinking ye same should be put off to some distant period,

Voted There be forthwith imprinted & signed ye sum of twelve thousand Pounds in Bills of credit on this Province equal in value to so much in Bills of credit on this Prov^c of ye two Last Emissions of ye same Tenor & Form struck from ye same Plates, two thousand Pounds thereof from the small Plate & all ye Rest from ye large Plate for the supplying ye Treasury for ye Defraying ye unprovided for charges of ye s^d Expedition for paying subsisting &c, one hundred & thirty soldiers (officers included) to be kept in ye Garrison of Louisbourg eight months longer, for paying any Bountys that may become due by ye votes of ye General Assembly for killing or taking captive any Indian or Indians and for further carrying on ye Warr against & distressing of his majesties enemies & defending & safeguarding his majesties subjects of this Province, & for ye defraying the charge of imprinting & signing ye same. And that ye said Bills be put into ye Treasury & there remain for ye ends, uses & purposes afores^d as shall be ordered by ye Genl Assembly And as a Fund & security for Drawing in & Sinking s^d Bills that there be a Tax on ye Polls & Estates within this Province in twelve equal annual Payments from and after ye year 1760 payable by ye 25th Day of December annually. And that ye Treasurer of this Province for ye time then being issue out his Warrant for ye Drawing in & sinking ye same as aforesaid [p. 271.] agreeable to ye last proportion of ye Province Tax unless a new proportion or Proportions should be made by the General Assembly in which case ye said sums shall be drawn in agreeable to ye Proportion next immediately preceding ye Respective Payments.

That what of ye said sum shall be drawn into ye Treasury from Time to Time shall be burnt to ashes in ye Face of the General Assembly and that in case any Part of ye s^d sum shall not be used or improved to ye uses & purposes afores^d the same shall lay in ye Treasury in order to be burnt & sink so much of ye respective sums unless ye same shall be otherwise order'd & disposed of by ye Genl Assembly And that the Treasurer for ye Time then being issue out his Warrants for so much as shall be drawn out of the Treasury by Warrants agreeable to this vote & no more.

That each and every Warrant for Drawing any of ye said money out of ye Treasury shall be signed by his Excellency ye Governour & shall be by & with ye advice of ye Council, And that there be a General Liberty given in ye act for ye Payment of s^d sum of twelve Thousand Pounds in such sort of species & in such a way & manner as is set forth in an act entituled an Act for granting unto his most excellent Majesty ye sum of four Thousand seven Hundred & Twenty Pounds Bills of Credit equal to Proclamation money for the supply of the Treasury which act was passed April 3^d 1742.

And that Clement March Esq. be of this House to join with such as may be appointed by ye Hon^r Council to get ye said Bills impress'd.

That Ebenz^r Stevens Esq. Mr. John Sanborn & Mr. Meshech Weare be a Comm^ee of this House to join with such as may be appointed by the Hon^r Council to sign ye said Bills.

That Mr. Henry Sherburne Junr & Thomas Bell Esq. be a com^ee of this House to join with such as may be appointed by the Hon^r Council to provide Provisions & all other necessary stores for the s^d one Hundred & thirty soldiers & officers for ye eight months & cause ye s^d Provisions & Stores to be transported to [p. 272.] Louisbourg and transact every other affair proper for a comm^ee to act in relating to ye s^d one hundred and thirty men.

And that a commissary go down with & take care of & deliver out ye s^d Provisions & stores to ye s^d one Hundred & thirty men according to ye Directions of ye Genl Assembly be appointed by ye General Assembly, And That Mr. Henry Sherburne jun^r & Mr. Meshech Weare be a comm^ee of this House to join with such as may be appointed by ye Hon^l Council to draw up act accordingly.

Voted That each soldier y^t went in ye first Imbarkation on ye Expedition against Louisbourg be allowed a bounty of fifty shill. if the money Bill pass.

The House adjourned til tomorrow 9 o'clock.

A. M. September 28th 1745.

Met according to adjournm^t.

Voted That ye comm^ee of War for providing stores &c for ye 350 men first sent on ye Expedition against Louisbourg in ye Pay of this Province as soon as may be, settle & make out a List of such officers & soldiers as afores'd that are not yet return'd from Louisbourg for seven months wages (except Coll. Moore ye settlement of whose wages is suspended til his return) and after a Deduction of what has been paid as Part of their wages as pr order of ye Genl Assembly or from ye comm^ee or commisary out of ye Prov. stores, y^t ye remaining Part be paid to such officers and soldiers respectively or their order out of ye money in the Treasury for that Purpose. Sent up by Mr. Sanborn.

Voted That ye Portledge Bill of ye sloop Exeter, Rob't White Master amounting to thirty four Pounds fourteen shill^s & eight Pence be allowed & paid out of ye money in ye Publick Treasury for ye Payment of officers & soldiers on ye Expedition against Louisbourg.

[p. 273.] The Complaint of Daniel Ladd & Henry Sherburne,

Captains & other officers & soldiers lately from Louisbourg being read (1)

Voted That Coll. Moore be forthwith recalled & that he be served with a copy of s^d complaint as soon as may be & required to make answer to it on ye fifth Day of ye setting of this Court after his arrival & that ye Complainants be required to attend at ye same time.

Voted That ye Portledg Bill of scooner flying Fish, John Bush Master amounting to thirty one Pounds seventeen shills & four pence be allowed & p^d out of ye money in ye publick Treasury for payment of officers & soldiers on ye Expedition against Louisbourg. Sent up by Coll. Gilman.

Whereas it appears by a Letter from Doc^r Peirce y^t he desires to be released & recalled from Louisbourg,

Voted That ye s^d Doc^r Peirce be recalled & y^t ye Com^ee for managing ye 130 men be joined to such as may be appointed by ye Hon^r Council to agree upon ye best Terms they can with a Physician to supply ye Place of s^d Doctor Peirce. Sent up by Mr. Sanborn.

Voted That if this House's vote of ye 27th curr^t for supplying ye Treasury with ye sum of 12000£ pass ye Council & be assented to by his Excell^y, that then each soldier & officer in ye first Imbarkation in ye Pay of this Province at ye payment of his wages, be allowed & paid out of ye s^d money when emitted fifty shillings as a Bounty over and above their wages.

Mr. Secretary came into ye House & said his Excell^y directed him to adjourn ye Genl Court til Monday 3 o'clock & in his Majesties Name ye Sec^y declared ye Court to be adjourn'd accordingly.

[P. 274.] Monday Sept. 30th 1744 [5?]

The House met according to adjournment.

Voted, That ye eighteen Troopers Imployed in Landing ye ordnance &c. & Mrs. Batson be allowed 5£ 8 : 0 viz. fifty eight shillings to ye Troopers and fifty shillings to Mrs Batson, to be pd out of ye money in ye publick [Treasury] for ye Defence of ye Government.

The House adjourn'd til tomorrow 9 o'clock.

Tuesday, October 1st 1745.

The House met according to adjournment.

Voted, That there be paid Nine Pounds 13 shill in full for ye Portlidge Bill of ye scooner Charming Molly, Nahum Ward

(1) See this complaint in "Journal of Council and Assembly," in this Volume, under date of Sept. 27, 1745.—Ed.

Master as a transport to carry Provision to ye Forces ag^t^ Louisburg, to be paid out of ye money in ye Publick Treasury for Payment of soldiers & sailors.

Voted, That Geo. Massey be allow'd 6 : 3 in full for his Horse to Newbury to be pd out of money in ye Publick Treasury for contingencies.

Voted That Mrs. Slayton be allow'd thirty four shillings & six Pence in full of her acc^t^ for expences in selling ye excise.

Voted Maj^r^ Stephen Greenleaf be allowed 6 : 3 in full for his acc^t^ for Expence at taking ye Bonds for ye Excise to be paid out of Money in publick Treasury for contingencies.

Voted, That James Scales Esq. be allow'd thirty shill^s^ in full of his acc^t^ for medicine, application, Time &c. to be paid out of ye money in ye publick Treasury for contingencies.

Voted, that there [be] allowed sixteen Pounds one shill. & four pence in full for ye Portlidge Bill of ye scooner Sarah & Elizabeth a Transport to Louisbourg to carry soldiers &c. to be paid out of ye money in ye publick Treasury for Payment of soldiers & sailors.

[p. 275.] Voted, That Benj Thomas in answer to his Petition have a further allowance of nine pence pr Day for two months to commence from ye time of ye expiration of ye last allowance.

Voted That Selathiel Denbow in answer to his Petition be allow'd forty shillings pr annum for three years (if he live so long) to commence from ye 25th of March last past to be p^d^ annually.

The House adjourned for two Hours.

P. M.

Met according to adjournment.

Mr. Secretary Brought down again ye vote of this House of ye 27th ult. for ye emission of 6000£ &c and said ye Council could not concurr it for the Reasons given.

Voted That Coll Gilman & Mr. H. Sherburne jun^r^ be a comm^tee^ to draw up a vote for ye emission of six thousand Pounds who bro't in a vote accordingly.

Mr. Secretary came into ye House & said he was directed by ye Govr & Council to inform ye House (in answer to their message by Mr. Macmurphy) that ye vote for a Bounty on Indian scalps & ye vote for ye Payment of ye soldiers returned from Louisbourg were concurred by ye Council & assented by ye Governour.

Mr. Secretary came again into ye House & bro't ye Petition of Benj Lewis representing his having been a soldier on ye Expedition against Louisbourg & his wife being very sick & very needy &c praying for Reliefe.

The House adjourn'd til to morrow 9 o'clock.

Wednesday Octo^{r} 2^{d} 1745.

The House met according to adjournment.

Voted That there be allowed unto nineteen men William Moulton Comm^{r} as a scout upon ye Frontiers from ye 30th July to ye 26th Augt ye sum of twenty five Pounds 2: 6 in full of his Muster Roll to be pd out of ye money in ye publick Treasury for ye Defence of ye Government.

[P. 276.] Voted, That there be allow'd fifteen Pounds Eleven shillings in full of ye Portlidge Bill of ye Brig^{t} Meshech & Mehitable a Transport to Louisbourg John Martyn Master to be paid out of ye money in ye publick Treasury for payment of soldiers & sailors.

Voted, That there be allowed ten Pounds & four Pence in full for a Muster Roll for fifteen men Tim^{o} Roberts Com^{dr} it being for wages & Provisions scouting at Rochester Eight Days from ye 26th of Augt 1745 to be paid out of ye money in ye Publick Treasury for Paying Soldiers & Sailors.

Voted, That there be allow'd forty eight shillings & 2 1–2d to Mary Peacock in full to ye 2^{d} Octo^{r} of her acc^{t} for Nursing & Boarding to sick Frenchmen to be pd out of ye money in ye publick Treasury for ye use of ye Expedition ag^{t} Louisbourg.

Voted, That Richd Jennes Esq be allowed three shillings & nine pence for transporting Guns from Rye to Newcastle.

The House adjourn'd for two Hours.

P. M. 1745.

Met according to adjournment.

Voted That Robert Tufton Philbrick be allowed Two Pounds ten shillings & three Farthings in full for his acc^{t} for mending ye Voluntiers Guns &c to be paid out of ye money in ye Publick Treasury for ye use of ye expedition ag^{t} Louisbourg.

Voted, That there be allowed unto Capt Jery Clough & ten men under his command sixty eight Pounds one shilling & four pence, in full for his Muster Roll for keeping Garrison & scouting at Canterbury & for Provisions & wages &c from 19th June to ye sixth Sep^{t} to be paid out of ye money in ye publick Treasury for Defence of ye Government.

[P. 277.] Voted, That the Com^{tts} account for impressing ye 6000£ amounting to 36: 8: 5 be allowed & as they have not receiv'd ye 50£ voted to be p^{d} them to carry on s^{d} work that ye s^{d} sum of 16: 8: 5 be p^{d} to them out of ye s^{d} fifty Pounds.

Voted, That Walter Warren be allow'd thirty five shillings & six Pence in full for his acc^{t} for mending ye voluntiers Guns to be paid out of ye money in ye publick Treasury for ye use of ye expedition against Louisbourg.

The House adjourn'd till to morrow 9 o'clock.

Thursday October 3d 1745.

The House met according to adjournment.

Voted That there be allowed 23: 13: 10 in full for Capt Joseph Hanson's Muster Roll for wages & Provisions ammunition & Horses & his Trouble with ye muster Roll for ye Troopers under his command for scouting ye woods about Rochester &c agreeable to His Excellencys order.

Voted, Frans Tucker be allowed 5: 12: 8 in full of his acct to ye 2d Instant for his care &c. of French Prisoners to be paid out of the money in ye Publick Treasury for ye use of ye expedition.

Voted That Joseph Moulton junr be allowed 3: 2: 6 in full of his acct for expresses to this Day to be pd out of ye money in ye publick Treasury for use of ye expedition.

Voted That there be allowed forty eight Pounds eighteen & ten pence in full for ye Portlidge Bill of ye sloop Betty, Saml Barns, Master, a transport on ye expedition against Louisbourg to be paid out of ye money in publick Treasury for ye use of ye expedition against Louisbourg.

The House adjourn'd for two Hours.

P. M. 1745.

The House met according to adjournment.

A Bill being bro't into ye House for Docking ye Intail of a House Lot belonging to ye Heirs of Danl Jackson late of Portsmo Decd & having been read three Times,

Voted That it pass to be enacted. Sent up by Capt. Gilman.

[p. 278.] Voted, That there be allowed nine Pounds twelve shills. & six Pence in full of Saml Millers Muster Roll for fifteen men scouting at Rochester from ye 29th of June 1744 to ye 13th of July following to be paid out of ye money in ye publick Treasury for defraying ye charge of ye Government.

Voted, That there be allow'd five Pounds eleven shillings & a Half Penny in full of Timo Roberts Muster Roll for twelve men scouting ye woods ten Days each from ye 18th June 1744 to be paid out of ye money in ye Publick Treasury for defraying ye charge of ye Government.

Voted, That there be ten soldiers officers included & no more continued at Fort Will. & Mary for six Weeks from this Time forward.

Voted, That Mr. Paul March be allow'd eight Pounds fifteen shillings in full of his acct for Rum &c supply'd on ye Day of Genl Muster for proclaiming War against ye Indians to be paid out of ye money in ye publick Treasury for ye use of ye expedition against Louisbourg.

The House adjourn'd till to morrow 9 o'clock.

Fryday October 4th 1745.

The House met according to adjournment:

Whereas the Expence & charge which this Government hath been at in carrying on their Part of ye expedition against Louisbourg has already much exceeded ye Provision first made for it, and whereas it is necessary that a sufficient Garrison be kept there till his Majesties royal Pleasure is known, of which this Government is willing to bear its full Proportion & ye circumstances of ye Province being such at present that in order thereto it is necessary there should be a new Emission of Bills of publick credit and that the Drawing in & sinking ye same should be put off to some distant Period,

[p. 279.] Voted, That there be forthwith imprinted & signed the sum of eight thousand Pounds in Bills of Credit on this Province, equal in value to so much in Bills of Credit on this Province of the two last Emissions of ye same Tenor & form struck from ye same Plates one thousand Pounds thereof from the small Plate & all ye Rest from ye large Plate for ye supplying the Treasury for the Defraying ye unprovided for charges of ye said Expedition, for Paying, subsisting &c. one Hundred & thirty soldiers (officers included) to be kept in ye Garrison of Louisbourg eight months Longer, and for ye Defraying ye charge of imprinting & signing the same and that ye said Bills be put into ye Treasury & there remain for ends, uses & Purposes afores'd as shall be order'd by ye General Assembly, and as a Fund & security for drawing in & sinking said Bills that there be a Tax on ye Polls & Estates within this Province in four equal annual Payments from & after ye year 1762, payable by ye 25th Day of December annually, and that ye Treasurer of this Province for ye Time then being issue out his warrants for ye Drawing in & sinking ye same as aforesaid agreeable to ye last Proportion of ye Province Tax unless a New Proportion or Proportions should be made by ye Genl Assembly in which case ye sd sums shall be drawn in agreeable to ye Proportion next immediately preceding ye Respective Payments. That what of ye said sum shall be drawn into ye Treasury from Time to Time shall be burnt to ashes in ye Face of ye Genl Assembly, and that in case any Part of ye sd sum shall not be used or improv'd to ye uses & Purposes afores'd ye same shall lay in ye Treasury in order to be burnt & sink so much of ye sd sum unless ye same shall be otherwise ordered & disposed off by ye Genl [p. 280.] Assembly — and that ye Treasurer for ye time then being issue out his Warrants agreeable to this vote & no more, That each & every Warrant for Drawing any of ye said money out of ye Treasury shall be signed by his Excellency ye Governour & shall be by & with ye advice of ye Council, and That there be a General Liberty given in the act for ye Payment of sd sum of eight Thousd Pounds in such sort of species & in such a way & manner as is set forth in an act entituled an act for Granting unto his most Excellt Majesty the sum of four thousand seven Hundd &

twenty Pounds Bills of Credit equal to Proclamation money for ye supply of ye Treasury, which act was passed April 3^d 1742, unless his most Gracious Majesty should be pleased to pay ye charge this Government has been at to forward ye Expedition against Louisbourg or any Part thereof & in that case a sufficient sum Part of what his Majesty shall please to pay shall be put into ye Treasury as a Fund for the immediate calling in & sinking s^d Bills which when so bro't in to ye Treasury shall be burnt to ashes in ye Face of ye Genl Assembly in which case ye Treasurer for ye Time being shall not issue out any Warrant for ye Purpose aforesd but ye sd money paid by his Majesty shall be a Fund for sinking ye same, And that Clem^t March Esq. be of this House to join with such as may be appointed by ye Hon^r Council to get said Bills impress'd, That Eben^r Stevens Esq. Mr. John Sanborn & Mr. Meshech Weare be a Comm^tee of this House to join such as may be appointed by ye Hon^r Council to sign s^d Bills, That Mr. Henry Sherburn jun^r & Thos Bell Esq. be a Comm^ee of this House to join [p. 281.] such as may be appointed by ye Hon^r Council to provide Provisions & all other necessary Stores for ye s^d one hundred & thirty soldiers & officers for ye s^d eight months & cause ye s^d Provisions, Stores, &c. to be transported to Louisbourg & Transact every other affair proper for a Com^ee to act relating to ye s^d one Hundred & thirty men, and that a commisary be appointed by ye Genl Assembly to go down with & take care of & deliver out ye s^d Provisions & Stores to ye s^d one Hund^d & thirty men according to ye Directions of ye Genl Assembly and that Mr. Henry Sherburne & Mr. Meshech Weare be a Com^tee to draw up an act accordingly.

Voted, That there be allowed thirteen Pounds nine shillings & seven pence in full of John Huckins Muster Roll for himself & nineteen men scouting from ye 18th Sept. to ye 3^d Octo^r cur^t to be paid out of ye money in ye publick Treasury for ye Defence of ye Government.

Whereas ye General Assembly have voted that Provision be made of cloathing &c. for 130 men to be kept at Louisbourg this Winter, & Whereas there is a larger number there at this Time & some uncertainty whether they will be permitted to return agreeable to ye votes of ye Genl Assembly or not,

Voted, That in case ye men or any Part of them now at Louisbourg should be prevented from returning agreeable to ye votes of ye Genl Assembly that then ye Com^tte appointed by ye Vote of this Day for ye 130 men be impowered & directed to make such provision of cloathing &c. as they may think proper & necessary.

The House adjourn'd for two Hours.

P. M.—1745.

The House met according to adjournment.

Voted, That Mr. Jacob Sheaf be a commissary to go down with & take care of ye Provisions, stores, cloathing &c. to be sent by

[P. 282.] ye committee to Louisbourg that he deliver out the same upon oath according to ye Directions to be given him by the committee that he be allowed for his Wages seven Pounds ten shillings pr month & his allowance of Provisions & Liquor as another man, without any other perquisite from ye stores & Provisions which may be sent down by orders of ye Government, & that he render account to ye Genl Assembly of all his Proceedings from Time to Time.

Voted, That money be paid to ye comm^ee for providing Provisions & stores for ye men to be kept at Louisbourg during ye Winter out of ye money & to be put in ye Treasury for ye use of ye expedition by Warrant from his Excelly with advice of ye Council to enable them to do ye same & that they give suitable Instructions & Directions to ye Commissary that they send down suitable Provisions, cloathing & other stores for ye men as soon as may be & that they give acc^t of their Proceedings to ye Genl Assembly from Time to Time when required & that they be under Oath for ye faithful discharge of their Office.

Voted, That ye Plates from which ye two last emissions of Bills of Credit on this Province were imprinted be Delivered to Mess^r Richd Wibird & Clem^t March Esq. who are appointed by ye Genl Court to get ye eight Thousand Pounds imprinted from them & [P. 283.] y^t s^d Committee as soon as may be go to Boston & get ye s^d sum of 8000£ imprinted from s^d Plates, one thousand Pounds from ye small Plate & all ye Rest from ye large in ye Best manner they can & deliver ye same to ye comm^tee appointed to sign s^d Bills taking their Recc^t for ye same & deliver ye s^d Plates after they have got ye s^d sum imprinted to ye Genl assembly & that s^d comm^tee be p^d out of ye Treasury sixty Pounds to enable them to carry on s^d Business & be upon oath for ye faithful Discharge of their Office.

The House adjourned til tomorrow 9 o'clock.

Saturday Octo^r 5th 1745, A. M.

The House met according to adjournment.

A Bill for granting to his most Excellent Majesty ye sum of 8000£ towards ye support of ye Garrison of Louisbourg being read a second Time, and then adjourned for a Quar^r of an Hour.

Met according to adjournment, A. M.

Voted That ye keys of ye Province Box for securing ye Plates for imprinting Paper, Bills &c (now in ye Treasurers custody) be kept one of them by ye Treasurer, one of them by ye secretary & the other of them by ye speaker of ye House for the Time being, & that Samuel Smith Esq. who has in keeping one of s^d Keys deliver ye same to Theod. Atkinson Esq. Sec^r & that Richd Jennes Esq. who has ye care of another of s^d keys deliver ye same to

Eben^{r} Stevens Esq. Speaker of ye House of Representatives, & that ye other key now in ye Province Box be delivered to George Jaffrey Esq. Treasurer and that ye several Committees for im- [p. 284.] printing Bills of Credit since ye year 1740, deliver to ye s^{d} George Jaffrey, Theod^{r} Atkinson & Eben^{r} Stevens Esqrs. all ye Blank sheets of imprinted Bills in their custody in s^{d} Box or elsewhere, taking their Rec^{t} for ye same and that all such Blank sheets be kept in s^{d} Box til otherwise order'd by ye Genl Assembly.

A Bill for granting to his most Excellent majesty ye sum of 8000£ towards ye support of ye Garrison at Louisbourg having been read three times

Voted that it pass to be enacted. Sent up.

Mr. Secretary came Down & said all ye votes were concurr'd by ye Council & assented by ye Governour except ye vote for paying y^{t} part of ye 350 men y^{t} remain at Louisbourg which was unanimously nonconcurred because Coll. Moore was excepted in s^{d} vote for that the Council tho't it would be unjust to punish him before he was heard.

Voted That ye one Hundred & thirty men order'd to be kept at Louisbourgh during ye Winter season be allow'd ye same encouragement in all Respects as ye soldiers in ye Massachusetts Pay have.

Voted That Doc^{r} Nathl Rogers be allow'd forty eight shill^{s} & six pence for his acc^{t} of medicine & for three French Prisoners to be p^{d} out of ye money in ye publick Treasury for ye use of ye Expedition.

Dr. C^{t} March Esq. being appointed to join such as may be appointed by ye Council to get ye 8000£ impressed, took an oath for ye Discharge of s^{d} Trust to ye best of his capacity.

The Honb^{l} Eb^{r} Stevens Esq. Mr. John Sanborn & Mr. Mech^{e} Weare appointed a com^{tee} to sign ye 8000£, took an oath for ye Discharge of s^{d} Trust to ye best of their capacity.

[p. 285.] Thos Bell Esq. & Mr. Henry Sherburne jun^{r} being appointed a com^{tee} to join &c to provide Provisions &c for 130 soldiers &c to be kept at Louisbourg eight months & to cause ye s^{d} Provision &c to be Transported to Louisbourg afores^{d} & to transact every other affair & so forth, Took an oath for ye Discharge of s^{d} Trust to ye best of their capacity.

Voted, That there be paid out of ye Treasury of ye money for ye Expedition to ye officers & soldiers or their order that last went on ye Expedition to Louisbourg as a Reinforcement provided they have been so long in ye Service, two months wages. And that Capt. Jonathan Prescut who is from Louisbourg to provide necessary stores for his company now at Louisbourg have Liberty to Draw out of ye Treasury for each of his officers & soldiers belonging to his company two months wages as above to provide private stores &c for his men & that he give a Rec^{t} to ye Treasurer for ye s^{d} sum he shall receive & to be accountable to each of his men for ye same upon Pain of refunding said sums.

Voted That ye Honb^l^ Eben^r^ Stevens Esq. & Mr. Meschech Weare be a comm^ee^ of this House to join such as may be appointed by ye Honble Council as soon as may be to draw up an address to be laid before ye Honble Council & this House to address & humbly to sollicit his Majesty's Bounty in repaying ye great Expence this Province has been at in ye Expedition for reducing ye city of Louisbourg to ye obedience of his majesty & Garrisoning the same. And to address his majesty that his Excellency ye Govr may not lay under any censure for emitting ye several sums [p. 286.] of Paper money which was absolutely necessary for ye carrying on ye s^d^ Expedition & also to obtain if possible ye Liberty for emitting from Time to Time such further sums as shall be absolutely necessary for carrying on ye War against his Majestys enemies & for Time to repay ye same & after ye address has passed ye Hon^l^ Council & House ye com^tee^ or major Part of them write to Mr. Agent Thomlinson & forward ye address to him directing him to present ye same & advise ye Genl Assembly from Time to Time of his Proceedings & that ye Letters be laid before ye General Assembly.

The Hon. Richard Wibird Esq & ye Hon^l^ Saml Solly Esq. came down & said they were directed by his Excellency to put ye House in mind y^t^ ye Time granted for scouts was out & y^t^ he desired to know whether ye House would make any further Grants.

Voted That ye seventy five men formerly granted be continued out one month longer if his Excellency think proper, & at ye same Places & upon ye same establishment.

Mr. Secretary came into ye House & said his Excellency directed him to inform ye House y^t^ he had adjourned ye Genl Court to Wednesday ye 20th Nov. Next, & then declared in his Majestys name that ye Court was adjourned accordingly.

Wednesday Nov. 20th 1745.

A Quorum of ye House being met adjourn'd til to morrow 10 o'clock.

Thursday Nov. 21st 1745, A. M.

Met according to adjournment.

Voted, That his Excellency ye Governour be desired to direct ye several Respective officers in ye first embarkation in ye Pay of [p. 287.] this Province on ye expedition against Louisbourg to lay their Muster Rolls before this House as soon as may be. Sent up by Mr. Sanborn.

Voted, That Matthew Thompson be allow'd 12: 6 for carrying Proclamation for thanksgiving to Exeter &c. to be p^d^ out of y^e^

money in ye Publick Treasury for ye use of ye expedition ags^t Louisbourg.

The House adjourn'd for two Hours, P. M. 1745.

Met according to adjournment & then adjourn'd til to morrow 9 o'clock.

Fryday Novr 22^d 1745.

Met according to adjournment.

Upon a motion of Eleaz^r Russel Esq. one of ye Repres. for ye Town of Portsm^o That a Precept go out to the sherrif requiring him to direct ye select men of ye Town of Portsm^o to convene ye Freeholders & others Inhabitants of s^d Ports^o qualified by Law to vote for ye choice of Representatives at some convenient Place to make choice of some Suitable Person to represent s^d Ports^o in Genl Assembly in ye Room of Nathl Rogers Esq. dec^d and to attend s^d service on Tuesday ye 3^d of Decr Next if ye Genl Court be then setting & if the court be not then setting then on ye first Day of their setting afterwards.

[P. 288.] Voted, That there be allow'd twenty five shills. & six pence to John Garland & James Mardin for their Trouble about six Guns imprest from Rye for ye use of the Government & to the owners of said Guns to be p^d out of ye money in ye Publick Treasury for ye use of ye expedition against Louisbourg.

The House adjourn'd for two hours.

P. M. 1745.

Met according to adjournment.

Voted, That Daniel Meders hearing on his Petition of ye 27th of June last be farther Defer'd til ye third Day of ye setting of ye Genl Asembly after ye tenth of December next & that ye s^d Daniel serve ye select men of Durham for ye time being with a copy of his s^d Petition & this order of Court within ten Days of this Date & notify them to appear on s^d Day to show cause if any they have why ye Prayer of ye Petition should not be granted.

The House adjourn'd til to morrow 10 o'clock.

Saturday Nov. 23^d 1745, A. M.

The House met according to adjournment.

Voted, That Peter Gilman Esq. & Mr. Henry Sherburne jun^r be a Committee to make out a List of those officers & soldiers y^t are return'd from Louisbourg of ye first Imbarkation since ye last settlement made for Payment of officers & soldiers &c. and of [P. 289.] what shall be found due to them respectively their wages to be settled from seven Days after their arrival at Portsmouth as

also to make out a List of those officers & soldiers that still remain at Louisbourg of ye first Imbarkation & what shall be found due to each of them respectively to ye first of Octo^r last Past & Present ye same to this House for their approbation.

Voted, That Jeremiah Libby be allow'd three shills. in full of his account for mending ye Prison Lock in Feb. 1744–5 to be paid out of ye money in ye Treasury for ye Repairs of ye Prison.

Voted, That be allowed Capt. Eb^r Wentworth three Pounds sixteen shills. & five Pence farthing in full of his acc^t for a Blanket &c. supply'd Christo July 1744, to be pd out of ye money in ye Treasury for ye Defence of ye Government.

Voted, That there be allow'd seven shills. & four Pence half penney to M. H. Wentworth, Esq. in full of his acc^t for sund^ys supply'd an Indian at Benj. Pitmans to be paid out of the money in ye publick Treasury for ye Defence of the Government.

Mr. Secretary came into ye House & said He was directed by ye Governour to inform ye House that he had adjourn'd ye Genl Court to Monday next at 3 o'clock P. M., and in his Majesties name declar'd ye House adjourn'd accordingly.

Monday Nov. 25, 1745, P. M.

Some of ye members met according to adjourm^t and Mr. Secretary camé into ye House & said he was directed by his Excellency ye Govr to adjourn ye Genl Court til to morrow 10 o'clock.

[P. 290.] Tuesday Nov. 26th 1745, A. M.

The house met according to adjournment.

Voted, That Wm Miles & ye thirteen men under his command, who scouted about Pimegawasset & ye Branches thereof 28 Dayes from ye ninth of Sepr be allowed thirty four Pounds ten shillings in full of his Muster Roll for s^d service to be p^d out of ye money in ye publick Treasury for carrying on ye War against his Majesties Enimies.

Voted, That there be allowed thirty Pounds nine shills. & a half penny in full of ye Muster Roll to ye men at ye Garrison at Canterbury & scouting thereabout & to Capt. Jer. Clough fifty shills. for his Trouble & expence in transporting a great Gun to Canterbury & making up ye Muster Roll to be p^d out of ye money in ye Publick Treasury for defraying ye charge of ye War against his Majesties enemies.

Whereas there was forty shills. short allow'd in Capt. Nahum Ward's Portlidge Bill for ye scooner Charming Molly, The man's name who was killed Viz^t Joseph Blaster not being in ye Portlidge Bill & Charles Crimble supposed to be ye man killed being alive,

Voted That there be paid out of ye money in ye Treasury for the use of ye expedition ag^t Louisbourg unto ye s^d Charles Crimble forty shillings—& then the House adjourn'd for two Hours.

Nov. 26, 1745, P. M.

Met according to adjournment.

Mr. Secretary bro't into ye House in ye forenoon ye memorial of Jos^s Blanchard Esq. representing his not being allowed his account for expresses & Exhibited last year, praying further consideration [P. 291.] also ye Petition of Joshua Purington's &c. Petition & other Papers & Benj. Thomas's petition & His Excellency speech which is on file.

Voted That his Excellency be desired forthwith to direct the Treasurer to lay his accts before ye House.

Voted That there be allow'd 8: 11: 9 to Mr. Jethro Pearson & nine men under his command scouting at Notingham & ye Frontiers ten Days from ye 29th July last to be pd out of ye money in the Treasury for defraying ye charge of ye War.

The House adjourn'd til to morrow 10 o'clock.

Wednesday Nov. 27th 1745, A. M.

The House met according to adjournment and then removed for conveniency of Fire &c. into Mrs. Priest's Room.

The Treasurer came into ye House & said He was directed by His Excellency ye Governour to lay ye Province acc^ts before ye Genl Assembly agreeable to ye vote of this House of Last night & left his accts in ye House accordingly.

Voted, That Hunking Wentworth Esq. be allowed thirty three shill^s in full of his acc^t of ye 27th Instant for a Record Book to be paid of ye money in ye publick Treasury for defraying ye charge of Government.

[P. 292.] Voted That Peter Gilman Esq. Mr. Henry Sherburne jun^r & Thos Bell Esq. be a Com^tee of this House to join such as may be appointed by ye Hon^r Council, to Examine & audit ye Treasurers acc^t & make Report of their Doings unto ye Genl Assembly as soon as may be.

Voted That Peter Gilman Esq. Mr. Henry Sherburne jun^r & Thos Bell Esq. be a com^ee of this House to join such as may be appointed by ye Hon^r Council to receive & tell over any money in ye Treasurers Hands to be burnt, to bring ye same into ye Genl Assembly in order to be burnt to ashes agreeable to ye acts of ye Genl Assembly.

Voted That there be allowed Eight Pounds to Mary Peacock in full of her account & for keeping French Prisoners to this Day, to be p^d out of ye money in ye Publick Treasury for ye use of ye Expedition against Louisbourg. By Mr. Weare.

Voted That there be allow'd Hunking Wentworth Esq. twenty two shills. & three pence in full of his acc^{t} for money p^{d} for Mr. Johnson, ye money makers & to Eleaz^{r} Russell Esq. in ye year 1743, to be p^{d} out of ye money in the Treasury by ye Interest of ye 25000£ Loan. By Mr. Weare.

The House adjourn'd for two Hours.

1745, Nov. 27th P. M.

[P. 293.] The House met according to adjournment.

Voted That all ye officers & soldiers in ye Pay of this Province now at Louisbourg be p^{d} off to ye first of Octob^{r} last Past, that those that are come home since ye last vote for Payment be p^{d} off & that those that may come home in ye Recess of ye Genl Assembly be p^{d} off as they come home, & each man have seven Days allow'd him after his arrival to go home & that Eleazer Russel Esq. & Mr. Henry Sherburne jun^{r} be a com^{ee} of this House, to join such as may be appointed by ye Hon^{r} Council to settle ye accounts of & with s^{d} officers & make out a proper certificate or certificates of what may be due to each man by ye votes of ye Genl Assembly under their or ye maj^{r} Part of their Hands, & that upon Rec^{t} of s^{d} certificate or certificates ye Treasurer pay unto each man, his Wife, order or legal Representative what is thereby certifyed to be due to him. Sent up by Mr. Weare.

The House adjourned til tomorrow 10 o'clock.

Thursday Nov. 28, 1745, A. M.

The House met according to adjournment.

Capt. Jennes bro't into ye House ye memorial of True Dudley & others representing ye ill usage of Coll. Moore to ye Regiment under his command on ye Expedition against Louisbourgh (1).

[P. 294.] Voted That Eleaz^{r} Russell & John MacMurphy Esq. be a com^{ee} of this House to join such as may be appointed by ye Hon^{r} Council to enquire into ye state of ye Funds on which ye Bills of cred^{t} of ye old Ten^{r} were Emitted & how far they have been comply'd with & make Report to ye Genl Assembly as soon as may be. Sent up by Mr. Sanborn.

Voted That ye com^{ee} for ye 15000£ Loan as soon as may be, lay ye State of y^{t} fund before ye Genl Assembly & shew how far ye act on which that money was emitted is complyed with. Sent up by Mr. Sanborn.

Mr. Secretary bro't down to ye House Sundry Petitions, vizt. Capt. Greggs & Sons Petition, Robt Gilmans a Doc^{r} of ye army at Louisbourg his Petition, Frost & others Petition for Sundries Lost &c at Louisbourg, & Benjamin Barkers Petition.

Ordered — That ye Hearing of Capt. Joseph Lock on his Peti-

(1) See "Journal of General Assembly," Sept. 27, 1745, margin, p. 351.—Ed.

tion be farther defer'd til ye 3^d Day of ye setting of ye Genl Assembly after ye first Day of June next.

The House adjourned for two Hours.

1745, P. M.

The House met according to adjournment and several Petitions being read & much Debate thereon being had & night being come on The House adjourn'd til to morrow 10 o'clock.

Fryday Nov. 29, 1745, A. M.

The House met according to adjournment.

The Petition of James Gregg & Saml Gregg representing y^e [P. 295.] difficulty & hardship they are bro't under by an award of Saml Emerson & Nathl Hale Esq. & Mr. Henry Sherburn jun^r appointed Referees (by Rule of his Maj. Sup. Court of this Prov. of ye 8th of Octo^r 1745, held by adjournment) for final Determination in a suit depending between ye s^d James & Samuel Gregg & one Robt Butterfield praying a special act to vacate & make void ye Judgment of s^d Court on s^d award & to give s^d Petitioners an opportunity to try ye same in Law as tho' no Rule of Court had been entered into &c. being read again & after long Debate ye Question was put whether ye s^d Petition should be dismiss'd or not & pass'd in ye affirmative by a great majority.

The Petition of Benj^a Barker representing his being in copartnership with Catherine Sargent alias *Dict^a* Catherine Brown wid^w & Relict of Saml Brown Esq. of Salem deceas'd now wife of Epps Sargent of Salem afores'd Esq. in a certain Tract of Land in ye District of Dracut in New Hampsh. & ye s^d Catherine refusing to make Division of s^d Tract & y^t s^d Benjamin being under necessity to settle & Improve s^d Land & praying y^t a Comm^ee may be appointed to make a Division of s^d Land agreeable to each of the s^d Parties Titles being read.

Voted, That ye afores^d Petition lay for farther consideration.

Voted, That Moses Leavit Esq. & Capt. Israel Gilman be a Com^tee of this House to enquire whether ye common Law make any Provision for Remedy in ye foregoing case & if not to prepare a bill to be passed into a Genl act for ye Benefit of this Government & for ye end aforesaid.

The House adjourn'd till 3 o'clock.

[P. 296.] 3 o'clock, P. M. Nov. 29th 1745.

The House met according to adjournment.

Voted, That there be allow'd to Capt. John Goffe & ye twenty seven men under his command for scouting from Merrymack to Connecticut Rivers began ye 30th July last 65: 17: 11 for wages & 53: 1: 3 for Provisions and 47: 18: 4 1-2 for wages & 38: 5: 0

for Provisions to ye s^d John Goffe for scouting as afores^d from ye 10th of Octo^r last & 19: 7 1–2 for Kittles to be pd out of ye money in ye publick Treasury to defray ye charge of ye War against his Majesties Enemies.

Voted, That there be p^d unto ye several Com^tees for signing ye three last emissions of Bills out of ye money in ye Treasury for that Purpose to each man of s^d Committees three Pence pr sheet old Ten^r for each sheet he sign'd.

Voted, That there be allow'd Thos Bell Esq. five Pounds sixteen shills. & six Pence in full of his account for candles, oyl, Wood, &c. supply'd Fort William & Mary since ye fourteenth of June last to ye 15th Nov. cur^t to be p^d out of ye money in ye Treasury for defraying the charge of ye War.

Voted, That there be p^d unto Mr. Speaker Stevens for ye use of Isaac Lovekin in consideration of his being shot thro ye arm in ye attack of ye Island Battery at Cape Britton five Pounds to be pd out of ye money in ye Treasury for ye use of ye expedition against Louisbourg.

[P. 297.] Voted, That there be allow'd one hundred & twenty two Pounds ten shillings to Thos Bell Esq. & ye men under his Command at Fort William & Mary from ye 14th June 1745 to ye 15th Nov. curr^t to be pd out of ye money in ye Treasury for paying officers & soldiers to be kept at Fort William & Mary.

Voted, that there be allowed three Pounds to Capt. Joh^n Goffe in full of his account for his Trouble & Expence in making up his Muster Rolls & attending ye Genl Court for allowance of ye same to be pd out of ye money in ye publick Treasury for defraying ye charge of ye War against his Majesties Enemies.

Voted, That ye Comm^tee for letting out ye 25000£ Loan & receiving ye Interest thereof forthwith lay their acc^ts before ye Genl Assembly.

Voted, That ye Com^tee for Repairing of his Majesties Fort Will. & Mary make Report to ye Genl Assembly of what they have done towards ye repairs thereof & forthwith lay their acc^ts before ye Genl Assembly.

The House adjourn'd til to morrow 10 o'clock.

Saturday Nov. 30th 1745, A. M.

The House met according to adjournment.

Whereas it appears in a Muster Roll of Coll. Blanchard's making up of a company of men under ye Command of Capt. John Goffe from May 27th to Sepr 1st 1744 That in s^d Muster Roll there was allow'd to s^d Capt. Goffe but 25 shillings pr month it is there-
[P. 298.] fore

Voted, That there be pd to Capt John Goffe out of ye money in the Treasury for carrying on ye War & Defence of ye Govern-

ment ye sum of four Pounds six shills. & seven Pence in full for his service as mentioned in s^d Muster Roll. Sent up by Capt. Jennes.

Voted, That his Excellency ye Capt. Genl be desir'd to give orders for Enlisting or impressing ten men officers included to be posted at his Majesties Fort William & Mary till ye 25th March next to be pd as ye last were.

Mr. Secretary came down to ye House & said it was his Excell^ys Pleasure y^t ye Genl Court should be adjourn'd to Tuesday ye 17th Day of Decr next at 10 o'clock before noon & in his Majesties Name declared ye House to be adjourn'd accordingly.

Tuesday Decr 17th 1745, 3 o'clock, P. M.

There not being a Quorum of ye House in the forenoon but a Quorum being met this afternoon a message was sent to his Excellency to inform him that there was a House.

James Clarkson Esq. came into ye House & said he was summon'd by a Constable to attend ye House. Upon which ye Precept for choice of a Representative for ye town of Portsm^o in ye Room of Nathl Rogers Esq. dec'd being called for & read ye sheriff returned y^t James Clarkson Esq. was elected to represent ye town of Portsm^o as afores^d upon which ye Speaker directed Mr. Sanborn & Mr. Macmurphy to inform his Excellency y^t there was a member of ye House to be qualified.

The House adjourn'd til to morrow 10 o'clock.

[P. 299.] Wednesday, December 18th 1745, A. M.

The House met according to adjournment.

Coll. Gilman & Capt. Gage being sent on a message from ye House to pray his Excellency to give Direction y^t the member return'd for Portsmouth might be qualified y^t ye House might Proceed upon Business, who return'd that they had deliver'd their message.

Mr. Secretary came down & said his Excell^y desir'd to know by [what] authority a new member was called into ye House.

Voted, That ye following answer be sent up to his Excelly in answer to his message by Mr. Secretary enquiring by what authority a new member was called into this House.

May it please your Excellency,

Agreeable to ye Custom & Practice of this House in such cases on ye Decease of Nathl Rogers Esq. one of ye members of this House, an order passed ye House that a Precept should go out under ye speakers Hand directed to ye High Sheriff of ye Prov. requiring him to issue out his Precept to ye selectmen of Portsm^o directing them to call ye Free Holders of s^d Town of Ports^o

together at some convenient Place in s^d Town to choose a meet Person to represent s^d Town of Ports^o in ye Room of ye s^d Nathl Rogers Esq. Dec'd, which Precept was issued & ye Sherif has made return of s^d Precept unto this House that he had issued his Precept directed to ye select men as above, who had return'd to him that they had called ye Freeholders of said Town [p. 300.] together who made choice of James Clerkson to represent s^d Town in ye Room of Nathl Rogers Esq. Dec'd & summon'd him by a Constable to attend in ye Genl Assembly & accordingly ye s^d James Clerkson Esq. has attended on ye House yesterday & to Day & ye House prays your Excellency will be pleased to order him to be qualified that they may proceed to Business.

Mr. Secretary came down & s^d his Excell^y only desir'd to see ye Precept for calling a new member, which Precept was sent up accordingly.

Mr. Secretary & ye Hon^r Jo^n Downing came down & administered to James Clerkson Esq. ye customary oaths & ye s^d Ja^s took his place accordingly.

The House adjourn'd for two Hours.

1745, P. M.

The House met according to adjournment.

The Petition of Moses Barret, James Barret, George Burroughs, Joseph Butler of ye District of Nottingham representing their being rated to s^d Nottingham & Londonderry praying relief &c being read & after much Debate it is ordered y^t s^d Petitioners pay their respective Rates to ye District to which they belong, agreeable to ye District act, til further orders of the Genl Assembly & that if ye Constables of Londonderry have rec'd any money by way of Rates of s^d Petitioners they are hereby order'd to refund ye same.

John Macmurphy Esq. pray'd Leave to enter his Dissent to s^d order & accordingly did dissent.

The House adjourn'd til tomorrow 10 o'clock.

Thursday Decr 19th 1745, A. M.

The House met according to adjournment.

Voted That there be allow'd John Humphrey & ten troopers under his command fifty seven shill^s in full of their Muster Roll [p. 301.] for scouting three Days from ye 14th Augt to be paid out of ye money in ye publick Treasury for ye Defence of ye Government.

The Petition of Seven or more of ye Voters of Portsm^o Representing some unlawfullness in ye choice of James Clerkson Esq. to represent s^d Town in Genl Assembly in the Room of Doc^r Rogers Dec'd &c being read & after Debate ye Question was put whether s^d Petition should be dismiss'd yea or nay & pass'd in ye Negative, & then it is

Voted That ye s^d Petitioners be heard on s^d Petition on Thurs-

day next at 10 o'clock A. M., if ye Court be then setting & if not then on ye second Day of ye setting of ye Court afterwards at 10 o'clock before noon, And y^t ye Petitioners forthwith serve ye select men of s^d Portsm^o w^h copy of s^d Petition & this order of court & that they with ye moderator of ye last Town meeting of s^d Portsm^o & ye town Clerk of s^d Portsm^o be cited to appear before this House at ye Time aforesaid, & all at ye cost of ye s^d Petitioners & a copy & a written citation was issued accordingly.

The House adjourn'd for two Hours.

Dec. 19th 1745, P. M.

The House met according to adjournment.

The hearing of Petition of Danl Meader in behalf of himself & ye People called Quakers being deferred from time to time to this Day & s^d Petition being read & s^d Meader & ye select men of Durham being called into ye House & their Pleas being heard upon a motion made y^t ye Town of Durham ought to have been notified,

Ordered That ye Hearing of ye s^d Petition be farther deferred til the Second Day of ye setting of ye Genl Assembly after ye first of Jan^r next & that ye select men of s^d Durham convene s^d Town to make choice of an agent or agents if they see cause to make answer to s^d Petition, & that ye Petitioner serve ye s^d Town with a copy of his Petition & this order of Court, that they may shew cause if any they have why ye Prayer of ye Petition should not be granted.

[P. 302.] Voted That ye account of Doc^r Nehemiah Ordway, amounting to thirty shillings & ye account of Doc^r Robt Rogers amounting to two & six Pence for medicines & attendance on Jonathan Watson a soldier in Capt. John Ladds company in ye Expedition against Louisbourg be allow'd & paid out of ye money in the Treasury for ye use of ye Expedition to ye Hon^r Eb^r Stevens Esq. for ye use afores^d.

The House adjourn'd til tomorrow 10 o'clock.

Fryday Decr 20th 1745, A. M.

The House met according to adjournment.

Voted That there be five hundred pair of snow shoes & five hundred pair of Mauhgazins with strings forthwith provided at ye publick expence, to be paid out of ye money in ye Treasury for ye defence of ye Government & further carrying on ye War, & that they be disposed of & kept in convenient Places in ye Several Towns hereafter mentioned, to be ready upon any Emergency. Viz^t, one hundred pair of each in Dover & Durham, one hundred & fifty pr of each in Exeter & New Market, fifty pair of each in Kingstown, thirty pair of each in Chester, seventy pr of

each in Londonderry, twenty pr of each in Rumford, ten pr of each in Canterbury, thirty pr of each in Dunstable, Litchfield & Notingham west, twenty pr of each in Notingham east, twenty pr of each in Rochester, & that they be put into ye Hands & under ye care of ye field officers of ye Regiments in the aforesaid Towns & that ye Field officers of each Regiment pass Receits for them & be accountable to ye Genl Assembly therefor, & that they cause them to be disposed of, placed & kept for ye publick use on any sudden emergent Occasion in such Places as they think will be most likely to be serviceable in their Respective Regiments, & that ye Hon^r Eben^r Stevens Esq. Coll. Peter Gilman & Major [P. 303.] Thomas Davis be a committee of this House to join such as may be appointed by ye Hon^r Council forthwith to provide ye s^d Snow Shoes & Mauhgazins & that Mr. John Sanborn & Capt. Jonathan Chesley be a committee of this House to join such as may be appointed by ye Hon^r Council to survey ye s^d Snow Shoes & Mauhgazins, & that they be examined, survey'd & approved by them before they be received or paid for. And That ye committee for providing s^d Snow Shoes & Mauhgazins give publick Notice that so any that may be disposed to make any Part of s^d Snow Shoes & Mauhgazins may know when & where they may agree with ye s^d committee for ye same. Sent up by Mr. Sanborn.

The House adjourn'd for two Hours.

P. M.

[P. 304.] The House met according to adjournment.

Voted That his Excellency ye Governour be desir'd to give orders for ye enlisting or impressing thirty good effective men, officers included to scout on ye Frontiers of this Prov. during ye month of January & February next or if his Excellency think proper til ye Breaking up of ye Rivers & that each of ye men so imploy'd be allow'd half a crown pr month to find themselves Snow Shoes & Mauhgazins. Sent up by Mr. Sanborn.

The House adjourn'd til tomorrow ten o'clock.

Saturday Dec. 21st 1745.

The House met according to adjournment.

Voted That there be allow'd Capt. John Wise sixty three Pounds ten shillings in full of his Portlidge Bill for ye Sloop endeavor a Transport to Louisbourg from June ye 20th to Dec 3^d 1745, to be pd out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Sanborn.

Mr. Secretary came down & said he was directed by his Excellency to inform ye House y^t it was his Excelly^s Pleasure to adjourn ye Genl Court to Tuesday ye 31st of this Instant Dec^r & in his Majesties name declared this House adjourn'd accordingly.

Tuesday Dec 31st 1745, P. M.

Some of ye members being come in but not a Quorum ye House adjourn'd til tomorrow ten o'clock.

Wednesday Jan 1st 1745-6.

Some of ye members met according to adjournment.

The weather continuing exceeding could & there not being a Quorum of ye House they adjourn'd til 3 o'clock.

[P. 305.] 1745-6, P. M.

Met according to adjournment.

No Quorum being here & adjourn'd til to morrow 10 o'clock.

Thursday 2 Janr 1745, A. M.

The House met according to adjournment.

There not being a Quorum adjourn'd til three o'clock.

P. M.

The house met according to adjournt.

Voted, That there be allow'd fifty seven shillings to the committee for ye letting out snow shoes &c. to be made in full of their account for sd service to be paid out of ye money in ye Treasury for ye Defence of ye Governt & further carrying on ye War.

The House adjourn'd til to morrow ten o'clock.

Fryday 3d January 1745.

The House met according to adjournment.

The Petition of Edwd Hopkins a voluntier in agt Louisbourg representing his needy & distressing circumstances occasion'd by long sickness &c. praying Relief &c. being read,

Voted, That there be allow'd seven Pounds ten shills. to ye said Edwd Hopkins in answer to his Petition to be put into ye Hands of Eleazer Russell Esq. to be deliver'd to sd Edward as need shall require to be pd out of ye money in the publick Treasury for ye use of ye Expedition against Louisbourg.

[P. 306.] The memorial of Moses Meder a voluntier in ye Expedition against Louisbourg representing his being sick before & after he left Louisbourg & after his arrival at Newcastle was at expence of Nursing & Doctors Bills &c. praying for allowance being read,

Voted, That there be allow'd five Pounds to sd Moses for full

satisfaction for his s^d suferings to be p^d out of ye money in ye Treasury for ye use of ye expedition against Louisbourg. Sent up by Mr. MacMurphy.

The House adjourn'd for two hours.

P. M.

The House met according to adjournment.

Clem^t March Esq. one of ye Comm^ee for getting the 8^m Pounds imprinted bro't into ye house ye Plates from which ye s^d 8^m£ was struck.

Order'd, That ye Committee appointed to keep ye keys of ye Province Box Take ye s^d Plates & put them into s^d Box there to remain til further orders of ye Genl Assembly accordingly they were deliver'd to ye Hon^r Eb^r Stevens Esq. one of s^d Committee.

The Petition of Benj^a Lewis one of ye Voluntiers in ye expedition against Louisbourg representing his being sick &c. being read,

Voted, That there be allowed to ye s^d Benjamin ye sum of four Pounds in answer to s^d Petition to be p^d out of ye money in ye publick Treasury for ye use of the expedition against Louisbourg. Sent

Voted, That there be allow'd to Mary Aires ye sum of forty shillings in full of her account for wood & candles &c. to be paid out of ye money in ye Publick Treasury for ye use of ye Expedition against Louisbourg. Sent up.

[P. 309.] Voted, That ye Petition of seven or more of ye voters of Portsmouth be heard to morrow 9 o'clock.

Upon a motion made it was put whether ye foregoing vote should be reconsidered or not & voted in ye Negative.

Voted, That Benj. Acreman ye Doorkeeper inform Richard Waldron Esq. that ye Hearing of ye Petition of Theod. Atkinson Esq. &c. of Portsmouth is to be to morrow at 9 o'clock & that he be desir'd to attend accordingly.

The House adjourned till to morrow 9 o'clock.

Saturday Jan^r 4th 1745, A. M.

The House met according to adjournment.

Voted, That John Deverson a Voluntier in ye expedition ag^t Louisbourg be allow'd ten Pound in consideration of his Long & Tedious fit of sickness to be p^d out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg. Sent up.

Voted, That Benj. Thomas be allow'd nine pence pr Day from ye Time of ye expiration of his last allowance til ye 25th March next. Sent up.

This morning being ye Time appointed for ye Hearing of ye Petition of Theod^r Atkinson Esq. &c. of Portsmo. & Richard Waldron Esq. being ye Person chiefly complain'd of & ye s^d Rich'd

Waldron having this morning sent a Letter to ye House informing them of his Indisposition of Body & therefore inability to attend — it is therefore

[P. 308.] Voted, That ye Hearing of ye s^d Petition be deferr'd til ye third Day of setting of ye General Assembly after this Day at ten o'clock A. M. and that all Parties be required to attend at s^d Time. Sent up.

Mr. Waldron's Letter above referred to.

[Copied from MS. Corr. in Secretary's office, Vol. I, p. 223.]

To the Honorable House of Representatives for his Majesty's Province of New Hampshire.

Mr. Speaker,

Last night, between 9 & 10 o'clock, your Door-keeper notified me to attend the Assembly this morn, upon a Hearing of an affair, in which I am concern'd; I should most gladly wait on the House, if the state of my health would allow it. Last Thursday morn, I was taken ill with the cholic, which continued extreamly bad till yesterday noon, and tho' the acuteness of the Pain is gone off, I remain so weak, and am otherwise so much indisposed, that I think, it would be a tempting of Providence, and courting a relapse for me to go abroad this morn, and therefore I pray to be excused; and, as the Petition, on which the Hearing is to be, is principally pointed at me, I beg the Honorable House to give me a Day in Court next week, for my Defence, or when else they shall think proper; as I am prevented by the Providence of God, from attending to Day, and not by any neglect or willfulness of my own, I appeal to the Honorable Assembly, whether my request be not most just, and whether the granting of it will not be doing as every man would be willing to be done unto. All that I desire (to use a vulgar Phrase) is a clear stage and no Favour, which is so agreeable to Law, reason & the nature of things, that I trust in God, I shall not be deny'd.

I am, Mr. Speaker and Gentlemen
your most obedient and most humble serv^t
Richd Waldron.

Portsm^o: Jan. 4th 1745-[6] 9 o'clock, A. M.

Voted, That John Walden Weymouth Ham Edwd Pendexter jun^r & Joseph Ham Voluntiers in ye expedition against Louisbourg be allow'd each four Pounds in consideration of their sickness loss of Time &c. & that John Deverson, Voluntier as above be allow'd ten Pounds in consideration of his long & tedious fit of sickness loss of Time to be pd out of ye money in ye Treasury for ye use of ye Expedition ag^t Louisbourg.

Voted, That Edwd Card a Voluntier &c. in answer to his Petition be allow'd four Pounds for his extraordinary service as Gunner at Louisbourg in Brook's & ye Light House Batterys to be pd out of ye money in ye Treasury for ye use of ye Expedition ag^t Louisbourg.

Voted, That ye s^d Edwd be allow'd thirty eight shillings for his Gun & Catooch Box lost at ye attack of ye Island Battery at Cape Britton to be pd out of ye money in ye Treasury for ye use of ye expedition ag^t Louisbourg.

Voted, That there be allow'd ye widow of Thos Tufts who was a voluntier ag^t Louisbourg, twelve Pounds in consideration of his

tedious sickness & Loss of Time to be pd out of ye money in ye Treasury for ye use of ye expedition ag^t Louisbourg. Sent up.

Voted, That Danl Wormall a voluntier ag^t Louisbourg be allow'd twenty two shillings & six Pence for a Pistol Lost in ye Defence of ye Grand Battery at Cape Britton to be pd out of ye money in ye Treasury for ye use of ye Expedition ag^t Louisbourg. Sent up.

[P. 309.] Mr. Secretary came down to ye House & said He was directed by His Excellency to inform ye House y^t his Excellency had adjourn'd ye Genl Court to Tuesday ye eighteenth of Feb. next at 10 o'clock A. M., & then declared ye said Court was adjourned to s^d Time accordingly.

Tuesday February 18th 1745, P. M.

A Quorum of ye House being met & Mr. Speaker Stevens being absent & motion being made to choose a speaker Pro Tempore, The members present proceeded to ye choice & chose Mr. Jo^n Sanborn who took ye chair accordingly.

And then Richd Jenness & Jo^n MacMurphy Esqs were desired to inform his Excellency y^t there was a House and then the House adjourn'd til tomorrow 9 o'clock.

Wednesday Feb. 19th 1745, A. M.

The House met according to adjournment.

Voted, That Clem^t March Esq. be allowed forty eight shillings in full for his acc^t for attendance & medicines for Thos Tufts Dec^d in his late sickness. Sent up by Capt Jennes.

Voted, That ye memorial & Petition to ye Kings Majesty (a copy of which is on file) (1) be forthwith forwarded & presented to his most excellent Majesty & y^t John Thomlinson Esq. Agent of this Province be desired to present ye same & humbly solicit [P. 310.] his Majestys royal Bounty in Repaying ye great charge this Province has been at in ye Expedition for ye Reduction of ye city of Louisbourg & its Dependencies to his Majesties Obedience & Garrisoning ye same, & that Mr Henry Sherburne jun^r & Mr Mesh^e Weare be a committee of this House to join such as may be appointed by ye Hon. Council forthwith to forward this memorial & a copy of this vote to ye s^d John Thomlinson Esq. & y^t ye original Letters to & from Mr. Agent Thomlinson or copies of them be laid before ye Genl Assembly & that all Letters wrote by s^d comm^ee. to s^d agent be signed by them or ye Major Part of them. Sent up by Capt. Jennes.

The House adjourn'd for two hours.

(1) The Council laid the memorial on the table, and probably it was never sent.—Ed.

Feb. 1745, P. M.

The House met according to adjournment.

Voted That Capt. John Mitchell & ye eleven Troopers under his command be allow'd three Pounds three shillings & Penny half Penny in full for his Muster Roll for scouting on ye frontiers, to be pd out of ye money in ye Treasury for ye Defence of ye Government & further carrying on ye Warr. Sent up by Maj. Davis.

Voted That Peter Gates & ye ten Troopers under his command be allow'd fifty seven shills. in full for their Muster Roll for scouting on ye Frontiers to be paid out of ye money in ye Treasury for ye Defence of ye Government & farther carrying on ye Warr. Sent up by Maj. Davis.

[P. 311.] The House adjourn'd til tomorrow 9 o'clock.

Thursday Feb 20th 1745, A. M.

The House met according to adjournment,

And after reading sundry accounts &c the House adjourn'd to ye Court House in order to give a publick Hearing of ye Petition of Sundry of ye Voters of ye Town of Portsmouth, praying y^t Ja^s Clerkson Esq. might not set in this House as a Representative for Portsm^o, & ye Parties being called & heard upon ye propriety & Legality of s^d Petition, ye Parties were order'd to withdraw & then ye Question was put whether Mr. Clerkson should set & hear any private Debate relating his election & pass'd in ye Negative, & then s^d Mr. Clerkson was ordered to withdraw accordingly.

And then ye Question was put whether ye s^d Petition should be dismissed yea or Nay and pass'd in ye Negative by a great majority.

And then ye Parties were order'd to give their attendance again & being come into ye House ye Selectmen of Portsmouth laid before ye House their answer in writing to ye said Petition, and all Parties being fully heard on ye afores^d Petition were ordered to withdraw and then after Debate, ye Question was put whether ye s^d Ja^s Clerkson should be dismiss'd yea or nay & pass in ye affirmative & then it is voted, That ye s^d James Clerkson Esq. be dismissed ye House, Mr. Gidding beg'd Leave to enter his dissent.

The House adjourn'd for two Hours.

[P. 312.] 1745-6, P. M.

The House met according to adjournment.

Voted That ye account of Messrs Wibird and March ye comm^tee for getting ye 8000£ impress'd be allow'd & ye Ballance due being nine Pounds fifteen shills be pd out of ye money in ye Treasury

for getting ye s^d eight thousand Pounds impress'd. Sent up by Capt. Jennes.

The committee for signing ye 13000£ brought ye Treasurer's Rec't for s^d Sum into ye House which is as follows:

Prov. of N. Hampsh^r Decr 26th 1745.

Rec'd of ye committee for signing ye 13000£ for ye Defence of ye Province ag^t his majesties enemies & for carrying on ye Expedition against Louisbourg ye s^d sum of thirteen thousand Pounds agreeable to ye act for emitting ye same 13000£.

Geo. Jaffrey, Treas^r.

Voted That s^d committee be discharged of said sum. Sent up by Mr. Macmurphy.

Voted That Mr. Zebulon Giddings be a committee of this House to join such as shall be appointed by ye Honble Council to receive ye snow shoes & maughgazins provided by this Province of ye commitee for ye same & at ye publick expence to send to ye field officers to whom they were to be delivered by ye Vote for making ye same the Proportion each of them was to receive & a copie of ye vote with them & take their Receit for them to be [P. 313.] bro't into the Genl Assembly & lodged in ye Secretary's office and that ye Field officers at ye publick expence cause ye same to be Taken care of as shall be necessary for their Preservation in ye best manner they can. Sent up by Mr. Weare.

The House adjourn'd til tomorrow 9 o'clock.

Fryday Feb^r 21st 1745—

The House met according to adjournment.

It is order'd, That a Precept be issued out requiring ye Sheriff to issue his writ to ye Selectmen of Portsm^o requiring them to convene ye Voters of Portsmouth to choose some suitable Person to supply ye vacancy occasion'd by ye Death of Nathl Rogers Esq. James Clerkson who appeared in ye capacity aforesaid being dismissed ye House, and a Precept was issued accordingly.

Voted That there be pd out of ye money in ye Publick Treasury for Payment of officers & soldiers Wages now in ye service of this Government for ye Garrisoning of Louisbourg unto each officer & soldier in said service at s^d Place, his Wife, order or legal Representative ye sum of four Pounds in Part of their Wages. Sent up by Mr. Leavit.

The House adjourn'd for four minuits.

The House met according to adjournment.

Dan'l Peirce Recorder's Bond to ye Treasury for ye Time being for his faithful Discharge of ye office of Recorder Dated July 2^d 1743, being bro't into ye House,

Ordered That ye s^d Bond be return'd by ye Speaker to ye Treasurer to remain in his Hands til otherwise order'd.

[p. 314.] The House adjourn'd for two Hours.

Post Meridiem, 1745–6.

The House met according to adjournment.

A Bill for an act in addition to an act entitled an act for ye better Preservation & increase of Deer within this Province having been read three times,

Voted, That it pass to be enacted. Sent up by Mr. Sanborn.

A Bill for reviving an act entitled an act in addition to an act entitled an act for regulating the Militia having been read three Times,

Voted, That it pass to be enacted. Sent up by Mr. Sanborn.

Voted, That his Excellency ye Governour be desir'd to give out his order for inlisting or impressing ten good effective men to be added to ye 30 already granted to scout on ye frontiers of this Province if His Excellency thinks proper during this month of Feb. or til ye Rivers break up, & that each man be allow'd half a crown pr month to find himself snow shoes and maughgazins. Sent up by Capt. Gilman.

The House adjourned til tomorrow 9 o'clock.

Saturday, February 22, 1745—A. M.

The House met according to adjournment.

Voted That ye committee for Transporting ye French People to France setle ye acc^ts of sund^r supply'd Capt. Phillip Reed at Louisbourg by Col. Meservey & pay s^d Meservey what appears to them to be justly due. Sent up by Capt. Gilman.

[p. 315.] Mr. Secretary came into ye house & said he was directed by his Excellency to inform ye House y^t ye Genl Court was adjourn'd til Monday next at 12 o'clock & in his Majesties name declared this House adjourn'd to s^d Time accordingly.

Monday Feb. 24th 1745—

The weather being very cold & ye season very boisterous & there not being a Quorum of ye House Mr. Secretary came into ye House & said he was directed by his Excellency to inform ye House y^t his Excellency had adjourn'd ye Genl Court til tomorrow ten o'clock & then declared this House adjourn'd to s^d Time accordingly.

Tuesday Feb. 25th 1745— A. M.

Some of ye members met according to adjournment but ye weather being much as was yesterday & there not being a Quorum of ye House come in, Mr. Secretary came into ye House & said it was His Excellency's Pleasure that the Genl Court be adjourn'd til 3 o'clock P. M. & then declared this adjourn'd accordingly &c.

3 o'clock P. M.

Some of the members met according to adjournment, but no quorum. Adjourn'd til tomorrow ten o'clock.

Wednesday Feb 26th 1745—

The House met according to adjournment.

A Bill for reviving ye Trespass act so called having been read three Times,

Voted, That it pass to be enacted. Sent up by Mr Macmurphy.

[P. 316.] The House adjourn'd for two hours.

1745–6 P. M.

The House met according to adjournment, and after reading a Bill &c. the House adjourn'd for six minuits and met again according to adjournment.

A Bill for regulating of ye appointment of Petit Jurors being read three times,

Voted, That it pass to be enacted. Sent up by Coll Wallingford & Capt Chesley.

The Committee for signing ye 8000£ bro't ye Treasurers Recl for sd sum into ye House which is as follows,

Province of N. Hampsh. Febu 26th 1746.

Recd of ye Committee for signing Eight thousand for further carrying on ye expedition against Louisbourg ye said sum of eight thousand Pounds agreeable to ye act for ye emitting ye same.

Geo. Jaffrey.

£8000.

Voted, That sd Com'ttee be discharged of sd sum of eight Thousd Pounds.

The House adjourn'd til to morrow 9 o'clock.

[P. 317.] Thursday February 27th 1745, A. M.

The House met according to adjournment.

The Committee for addressing his Majesty on account of ye

present Rebellion &c. bro't a Draught of an address to his Majesty for ye ends afores'd in ye House.

Voted, That s^d Address be sent up to ye Council. Sent up by Mr. Weare.

Voted, That there be allowed & Paid out of ye money in the publick Treasury for Payment of officers & soldiers on ye expedition against Louisbourg unto Capt. John Furnald the sum of three Pounds in full to make his wages equal with ye Captains of ye ships of Force in ye Massachusetts Pay during ye time on ye Expedition ag^t Louisbourg of his commanding ye sloop Abigail on s^d Expedition. Sent up by Capt Jennes.

Voted, That Mr. Henry Sherburne jun^r & Mr. Meshech Weare be a committee of this House to join such as may be appointed by ye Hon^l Council to take ye addresses that have been laid before ye Genl Assembly this session & make such alteration in them as they may think proper & get them fairly engrossed & laid before ye Genl Assembly if possible this afternoon or as soon as they conveniently can,

The House adjourn'd for two Hours.

[p. 318.] 1745, p. m.

The House met according to adjournment.

The Petition of ye widow of Willm Ham a voluntier against Louisbourg being read some Days ago praying some allowance, &c.

Voted, That there be allow'd & paid unto ye s^d widow ye sum of fifty shillings to be p^d out of ye money in ye publick Treasury for Payment of officers & soldiers against Louisbourg. Sent up by Mr. Gidding.

The House adjourn'd til to morrow 9 o'clock.

Fryday, Feb^r 28th 1745, a. m.

The House met according to adjournment.

Whereas by ye twenty five thousand Pounds act, there was 2500£ part of ye Interest of s^d sum appropriated for ye Repair of his Majes^ts Fort Willm & Mary and whereas there was a comm^ee appointed by ye Genl Assembly to lay out ye s^d sum agreeable to s^d act, And whereas by a vote of ye Genl Assembly dated April 10th 1745 ye first money y^t should be paid into ye Treasury for Interest of ye s^d 25000£ (the money borrow'd & his Excel^s salary first paid) should be pd into ye Hands of s^d comm^ee & by them be apply'd to that use &c. and whereas it appears of absolute necessity that something should be done towards ye Repairs of s^d Fort immediately in order for ye securing & making serviceable his majesties royal present of ordinance &c. and for ye putting y^e [p. 319.] Province in a proper Posture of Defence and whereas there is not yet a sufficient sum of s^d Interest paid into ye Treasury to carry on s^d work,

Voted. That there be forthwith signed off by a committee to be appointed by ye Genl Assembly ye sum of one thousand Pounds of ye Blank Sheets struck from ye Large Plate that now lays in ye Province Box to be put into ye publick Treasury to be immediately paid into ye Hands of ye comm^ee^ appointed to repair his Maj^s^ Fort William & Mary (by his Excellency's Warrant with ye advice of ye Council) to be by them apply'd for ye immediate Repairs of s^d^ Fort in ye most serviceable best & advantageous manner and for a Fund for bringing in & sinking ye same that when there is a sufficient sum of ye Interest of ye s^d^ 25000£ bro't into ye Treasury to pay ye s^d^ 2500£ appropriated for ye Repairs of his Majesties s^d^ Fort that then ye s^d^ sum of 1000£ be repaid out of ye s^d^ Interest appropriated to s^d^ use & burnt to ashes in ye Face of ye Genl Assembly for ye sinking ye s^d^ sum of 1000£ by this vote to be emitted & that Eleazer Russell Esq. & Mr. Meshech Weare be a committee of this House to join such as may be appointed by ye Hon^l^ Council to prepare an act accordingly. Sent up by Maj^r^ Davis.

The House adjourn'd for two Hours.

[P. 320.] Post Meridiem, 1745—

The House met according to adjournment.

The Honble Theod^r^ Atkinson & Sampson Sheaf Esqs. bro't again to ye House ye vote pass'd this forenoon raising money to repair ye Fort & said ye Council objected two things against s^d^ vote, viz. That his Excellency could not assent to any such vote & that they (ye Council) tho't it a better way to repair ye Fort by days work of ye Inhabitants of ye several Towns respectively.

Voted, That Mr. John Sanborn & Mr. Meshech Weare be a committee to wait on his Excellency to confer him on ye vote for repairing ye Fort & upon a method for raising money for encouraging ye inlisting of soldiers to reinforce Louisbourg.

The House adjourn'd til to morrow 9 o'clock.

Saturday, March 1st 1745—

The House met according to adjournment.

Voted, That his Excellency ye Capt. General be desir'd to give his orders for ye Inlisting or Impressing twenty good effective [P. 321.] men to be posted at his Majesties Fort William & Mary on ye same establishment as ye last for six months from ye 25th of March next to be p^d^ when ye Muster Roll is made up & allow'd by ye Genl Assembly out of ye money in ye Treasury for that Purpose.

Voted, That there be allowed & p^d^ unto Danl Peirce ye sum of eleven Pounds seventeen shills. & nine Pence in full of his accounts to be pd out of ye money in the publick Treasury for y^e^

Contingent charges of ye Government. Sent up by Maj. Davis.

Voted, That the address to his Majesty & ye memorial & address to his Majesty in Council herewith sent up be forthwith forwarded & presented to his most Excellent Majesty & that John Thomlinson Esq. . . . . .

Voted That Rich'd Jenness Esq. be allow'd fifty shills. for Wood supply'd ye Genl Assembly to be p^d out of money in the publick Treasury for defraying ye charge of ye Government.

Mr. Secretary came down to ye House & said He was directed by his Excellency to inform ye House that it was his Excellencys Pleasure that ye Genl Court should be prorogued to ye 8th Ap^r next & then in his Majestys Name declared ye Court to be Prorogu'd to s^d Time accordingly.

Tuesday April 8th 1746.

Some of ye members being met (but not a Quorum of ye House) Mr. Secretary came into ye House and said he was directed by his Excellency to inform ye House that it was his Excellencies Pleasure y^t ye Genl Court should be prorogued to Tuesday ye 22^d of this Instant, at ten o'clock A. M. and then in his Majesties Name declar'd ye court to be prorogued to s^d Time accordingly.

[P. 322.] Anno Regni Regis Georgii 2^d Mag^a Britt^a Fra^ce & Hib^ce 19, 1746.

A Journal of the House of Representatives, At a General Assembly of his Majesties Province of N. Hampsh^r began & held at Portsmouth in ye Province afores^d on Wednesday ye fifth Day of June 1745, & from thence continued by sundry adjournments & Prorogations to ye sixth of this Instant May 1746.

Tuesday May 6th 1746, P. M.

The House met according to adjournment.

Order'd That Maj^r Davis & Capt Chesley wait on his Excell^y to inform him that there is a House — who return'd that his Excellency would be at court forthwith.

Mr. Secretary came into ye House & said His Excellency desir'd to know whether there was a Quorum of ye House.

Mr Secretary came into ye House and informed Mr. Speaker y^t he was directed by his Excellency to require Mr. Speaker's & ye Houses attendance in ye Council Chamber who immediately attended accordingly.

The Hon^r Richd Wibird & the Honble John Downing Esqrs. came into ye House & s^d they were appointed by His Excellency to qualify James Clarkson Esq. elected to serve as a Representa-

tive in ye Room of Nath. Rogers, Esq. dec^d & then administered oath &c. accordingly.

Mr. Secretary bro't into ye House His Excellencys speech made this day to ye Genl Assembly a paragraph of Mr. Agent Thomlinson's letter with Chas Apthorp's Letter relating to ye Powder sent last year pr Capt Hammond (1) & Capt. John Goffe's Letter, all which Mr Secretary desir'd might be return'd.

The House adjourned til tomorrow 9 o'clock.

[p. 323.] Wednesday May 7th 1746 A. M.

The House met according to adjournment.

Voted, That his Excellency be desired to direct ye Treasurer to lay his accounts before ye Genl Assembly as soon as may be, that ye settlement thereof be no longer delay'd. Sent up by Mr. Sanborn & Jennes.

Voted That Coll Pet^r Gilman, Capt. Thos Bell & Mr. Henry Sherburne jun^r be a Com^tee to join such as may be appointed by ye Honble Council to examine ye Treasurer's accounts & tell over & receive any money in ye Treasurer's or any Comittees Hands to be burnt & to bring ye same into ye Genl Assembly to be burnt to ashes, agreeable to acts of ye Genl Assembly & to make report as soon as may be. Sent up by Capt. Jennes.

Capt. John Tufton Mason being admitted into ye House upon his Desire & represented to ye House y^t he once & again had requested ye Houses Determination on certain articles of agreement tripatite between John Thomlinson Esq. &c & himself & now once more pray'd that ye House would forthwith come to a Determination & give him their final & conclusive answer.

Mr. Secretary bro't into ye House ye following Petitions. Viz^t Saml Kennistons, Benj. Kemming's, Mary Marston's & South Hampton's & s^d ye Council desir'd all ye Petitions relating to Cape Britton soldiers y^t lay before ye House & not acted upon might be sent up which were accordingly sent up by vote of ye House by Capt. Chesley.

Upon reading South Hamptons Petition signed John Page agent for South Hampton, Representing That it was inconvenient for s^d Town to have two certain Highways in s^d Town, & two Bridges over Powow River & praying a comm^ee may be appointed to examine into ye matter &c. it is therefore

Voted That ye Petitioners be heard on their Petition on Tuesday next ye 13th Instant at ten o'clock on s^d Day, if ye Genl Assembly be then setting, & if not then on ye third Day of ye next setting of ye Genl Assembly afterwards, & y^t ye s^d John Paige forthwith serve ye Persons who are uneasy because ye way first voted was not laid out & apply'd to ye Genl Sessions of ye Peace

(1) See "Journal of General Assembly" of same date.—Ed.

[p. 324.] thereon with a copy of s^d Petition & this order thereon & notify them to appear & shew cause if any they have why ye Prayer of ye Petition should not be granted. Sent up by Capt. Jennes.

The House adjourn'd for two hours.

P. M.

The House met according to adjournment.

Voted That there be twenty shillings allow'd Peter Massurve in full of his account for Nursing & Boarding Peter Roman, a French Prisoner in Octo^r last to be p^d out of ye money in ye publick Treasury for ye use of ye Expedition against Louisbourg. Sent up by Maj. Davis.

Voted That his Excellency ye Governor be desired to give orders for Inlisting or Empressing eighty good effective men under proper officers for four months, if there be occasion, to be imploy'd in guarding ye Frontiers of this Province in scouting in ye Woods & guarding ye Inhabitants in ye most exposed Places. That twenty of them be kept constantly scouting from Rochester along upon ye Heads of ye Towns to Londonderry, and y^t thirty more of said eighty be appointed to guard ye most exposed Places on ye east side of Merrimack River. Sent up by Maj. Davis.

Voted That provided fifty good effective soldiers including officers, will inlist themselves in his majesties service by ye first Day of June next for five months, under such proper officers as shall be appointed by his Excellency to go in Pursuit of our Indian enemies making Capt. Clough's Fort at Canterbury their Head Quarters, to retire to from Time to Time to receive their Provisions from thence to range the woods between ye Rivers of Merrimack, Newechewanick & about Winepissiocke Pond & [p. 325.] Places adjacent thereto, that they be upon constant Duty in ye woods except a convenient Time to take Provisions & ye leading officer & officers that shall lead s^d men or any Party thereof, keep & render a Journal of every Days march to ye General Assembly upon oath—That then the Capt of s^d company be allow'd as his wages fifty shills, Lieu^t forty shills, & two Sargents each thirty two shills pr month, & Centinels each twenty five shills pr month & Provision & Ammunition found them, & for further Incouragement as a Bounty, y^t they be allow'd for each male Indian they shall kill within s^d term of Time of any of ye Tribes of Indians y^t war has been declar'd against by this Government, upward of twelve year old & scalp produced, ye sum of Seventy Pounds & Captives Seventy eight Pounds, fifteen shillings & for Females & others under ye age of twelve years old killd & scalp produced thirty seven Pounds ten shillings & captives thirty nine Pounds five shills, provided no Payment be made as afores^d for killing or captivating any Indians as afores^d

until Proof be made to ye acceptance of ye Governour & Council. Sent up by Maj. Davis.

Whereas ye Snow shoes & Maughgazins are not yet disposed of agreeable to ye Votes of ye Genl Assembly,

Voted That Coll. Smith forthwith receive those belonging to his Regiment & take proper care for their Preservation. That ye Honble Eben^r Stevens Esq. take care for ye Preservation of those in his Hands, that Mr. Zeb Giddinge receive & take care of those belonging to Coll. Blanchards Regiment till ye Fall & then cause them to be convey'd to ye Places where they are to be kept agreeable to ye Votes of ye Genl Assembly that he use proper measures for ye Preservation of those which belong to Coll. Blanchard's Regiment & all at ye Expence of ye Government.

[p. 326.] N. B. Y^e entry of this adjournment ought to have been enter'd before ye last vote.

The House adjourn'd til tomorrow 9 o'clock.

Thursday May 8th 1746, A. M.

The House met according to adjournment.

Voted That Capt Jer. Clough & ye four men under his command at ye Garrison of Canterbury from Nov. 23^d to Ap^r 16th be allow'd sixty two Pounds seventeen shillings & four Pence half penny in full of his Muster Roll to be p^d out of ye money in ye publick Treasury for ye Defence of ye Government. Sent up by Mr. Weare.

Voted That ye committee for ye fifteen thousand Pound Loan forthwith lay ye state of that Fund before ye Genl Assembly. Sent up by Mr. Weare.

Voted That Ja^s Clerkson Esq. & Mr. Meshech Weare be a com^tee of this House to join such as may be appointed by ye Honble Council to examine into ye state of all ye Funds of ye old Ten^r to see if there be either an excess or Deficiency & make Report to ye Genl Assembly as soon as may be. Sent up by Mr. Weare.

The House adjourn'd for two Hours.

P. M.

The House met according to adjournment.

Voted That there be allow'd to Capt Jonathan Chesley & Mr. John Sanborn twenty four shillings in full of their account for surveying Snow Shoes & other care about ye same to be pd out of ye money in ye publick Treasury for ye use of ye Government. Sent up by Capt Jennes.

[p. 327.] Voted That James Clerkson Esq. & Mr. Meshech

Weare be a com^ee to prepare an answer to his Excellencys speech and lay it before ye House.

The House adjourn'd til tomorrow 9 o'clock.

Fryday May 9th 1746, A. M.

The House met according to adjournment.

Voted That there be deliver'd to Capt Jere. Clough by ye Treasurer to be lodg'd in his Fort at Canterbury & be used only upon extraordinary occasions half a Barr^l of Gunpowder & half a hundred Weight of Bullets, That Capt Clough be accountable to ye Genl Assembly how it is expended to be p^d for out of ye money in ye Treasury for ye Defence of ye Government. Sent up by Maj^r Davis.

Whereas by ye twenty five thousand £ act there was one thousand Pound Part of ye Interest of s^d sum appropriated by Cutting Roads &c and whereas it would be of very great advantage for ye Defence of ye Frontiers to have a way cut to Canterbury over Suncook River, & whereas there is not a sufficient sum of ye said Interest yet bro't into ye Treasury,

Voted That there be forthwith sign'd by a com^tee to be appointed by the Genl Assembly ye sum of five hundred Pounds of ye Blank sheets from ye large Plate now in ye Province Box to be put in to ye Treasury for ye Building a Bridge over Suncook River & a way to Canterbury & other Places as shall be order'd by ye Genl Assembly & for a Fund for bringing in & sinking ye same—

That when there is a sufficient sum of ye Interest of ye s^d 25000£ brought into ye Treasury to pay ye s^d sum appropriated for cutting Roads &c (the money appropriated for paying his Excellency Salary & repairing his Majesties Fort William & Mary being first paid y^t then ye sum of five hund. £ be repaid out of ye s^d [p. 328.] sums & burnt to ashes in ye Face of ye Genl Assembly for ye sinking ye said sum of five Hund £ by this vote to be emitted, & that Eleaz^r Russell Esq. & Mr. Mesheeh Weare be a com^tee of this House to join such as may be appointed by ye Honble Council to draw up an act accordingly. Sent up by Maj. Davis.

Whereas agreeable to an order of his Excellency ye Governour & Council in ye Recess of ye Genl Assembly & at ye Request of Coll. Moore ye comm^ee of War took up ye sloop Abigail & sent her to Louisbourg to bring Home ye men yet there in ye Pay of this Province,

Voted That ye s^d sloop Abigail be upon ye acc^t Expence & Risque of this Province in ye same manner as ye other Transports imploy'd in ye Expedition ag^t Louisbourg & that ye Proceeding of ye committee therein be approv'd of & allow'd by ye General Assembly.

Order'd That Mr. Meshech Weare go up & enquire whether ye vote for appointing a comm^ee to Examine ye Treasurer's accounts be concurr'd who return'd he had deliver'd his message accordingly.

Mr. Secretary came down to ye House & informed y^t in answer to ye message by Mr. Weare ye Council had concurr'd ye vote for a com^ee to examine ye Treasurers acc^ts and that ye Hon^r Mr. Odiorne, Downing & Atkinson were join'd to said committee and also that ye vote appointing a com^ee to examine ye Funds of ye old Ten. was concurr'd by ye Council & that ye Hon. Mr. Wibird & Sheaf were join'd s^d committee.

Voted, That ye several committees for ye Expedition ag^t Louisbourg lay their acc^ts before ye Genl Assembly as soon as may be. Sent up by Capt. Gage.

The House adjourned for two Hours.

P. M. 1746.

[p. 329.] The House met according to adjournment.

Voted, That such officers & soldiers as are to be imploy'd in his Majesties service scouting & guarding ye frontiers from ye twenty instant by order of ye Genl Assembly have each man five shillings pr month more than was allow'd to each man in that service last year. Sent up by Capt. Gage.

The House adjourned til to morrow 9 o'clock.

Saturday May 10th 1746, A. M.

The House met according to adjournment.

Voted, That his Excellency ye Capt. Genl be desir'd forthwith to cause to be inlisted or impressed thirty Good able bodied men to be imploy'd in ye Repairs of Fort Willm & Mary at thirty shillings pr month for two months under ye Direction of ye Comm^ee appointed for that service & that ye Treasurer supply s^d men with Provisions as customary for soldiers & that his Excellency be desir'd to cause said men to be changed every fourteen Days & likewise cause such a number of ye twenty men already granted to be kept at ye Fort as can be spared from actual Duty to be imploy'd with ye other men in s^d Repaires. Sent up by Capt. Gage.

Whereas there was a vote pass'd ye first Day of March last for an allowance of fifty shillings to Rich'd Jennes Esq. for wood supply'd ye Genl Assembly which vote was never sent up, it is therefore

Voted, That the s^d Rich'd Jennes be now allow'd ye s^d fifty shillings to be paid out of ye money in ye publick Treasury for defraying ye charge of ye Government. Sent up by . . . . . .

Voted, That there be allow'd Doc^r John Ross nine shills. & six

Pence in full of his acc^{t} for med^{s} & attendance for Weymouth Ham & thirty three shills & nine Pence in full of his acc^{t} & med^{s} & attend^{r} for Benj. Thomas to be paid out of ye money in the publick Treasury for ye use of ye Expedition ag^{t} Louisbourg. Sent up.

[P. 330.] Ordered, That Mr. Weare go up to his Excellency & desire him to send ye eighty men (lately granted to scout & guard ye Frontiers) out immediately.

Mr. Secretary came into ye House & said he was directed by his Excellency to inform ye House that his Excellency had adjourn'd ye Genl Court til Monday next at 12 o'clock & then in his Majesties name declar'd this House to be adjourn'd to s^{d} time accordingly.

Monday May 12th 1746, P. M.

A Quorum of the House met at 3 o'clock P. M.

Voted, That there be allow'd three Pounds seven shillings & six Pence to Clem^{t} Jackson Esq. in full for sundry medicines & attendance upon Moses Leavit Dec'd Jerem^{r} Dow John Sleeper & Joseph Redman Voluntiers to be pd out of ye money in ye Publick Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Weare.

Voted, That there be allow'd five Pounds four shillings to Doc^{r} Dudley Odlin in full of his accounts for sundry Medicines visits Journeys & attendance for Rich'd York & Samuel Edgerly Voluntiers to Louisbourg to be pd out of ye money in ye Treasury for ye use of ye Exped^{n} ag^{t} Louisbourg. Sent up by Mr. Weare.

Voted, That there be allow'd seven shillings & nine *d* in full of his account to Doc^{r} Robt Rogers for sundry medicines &c. for John Dent a Voluntier to Louisbourg to be pd out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Weare.

Voted, That there be allow'd to Doc^{r} Benj. Row eight shills. & seven pence half penny in full of his acc^{t} for medicines &c. for Jonathan Cass a Voluntier to be pd out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Weare.

[P. 331.] The House adjourn'd til to morrow 9 o'clock.

Thursday May 13th 1746, A. M.

The House met according to adjournment.

Voted, That Nathl Sargent Esq. be allow'd four Pounds in full of his acc^{t} for visits Medicins & attendance on sundry voluntiers to Louisbourg, Viz^{t} John Sleeper Jonathan Godfrey Shubeal San-

born John Morgan to be p^{d} out of ye money in ye Treasury for ye Expedition ag^{t} Louisbourg. Sent up by Maj. Davis.

Voted, That there be allow'd twenty one shillings & nine Pence to Doc^{r} Benj. Row in full of his acc^{t} for sundry medicins visits & attendance on Saml Blake Junr a voluntier to Louisbourg to be pd out of ye money in ye Publick Treasury for ye use of ye Expedition against Louisbourg. Sent up by Maj. Davis.

Voted, That there be allow'd forty five shillings to Doc^{r} Dudley Odlin in full of his account for sundry medicins visits Journeys & attendance on Samuel Blake Junr a voluntier to Louisburg to be paid out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg. Sent up by Maj. Davis.

This being ye Day appointed for ye Hearing of South Hampton Petition, John Paige Esq. agent for s^{d} South Hampton & Joseph Jewel & Saml Quimby were admitted into ye House and the Petition being read ye s^{d} Jewell & Quimby gave in an answer to s^{d} Petition in writing & after hearing ye Pleas & allegations of both Parties, s^{d} Parties were dismiss'd. Mr. Jewel being called into ye House again was desir'd to ask Mr. Parker to attend ye House in ye afternoon & then

The House adjourned for two Hours.

[P. 332.] Post Meridiem, 1746.

The House met according to adjournment.

Wm Parker Esq. John Paige Esq. Joseph Jewel & Saml Quimby being admitted & Mr. Parker being interrogated on s^{d} Petition & ye s^{d} Parties being farther heard on said Petition—The House took ye affair into consideration & after much Debate thereon it was

Voted, That ye s^{d} Petition be dismiss'd.

The House adjourned til tomorrow 9 o'clock.

Wednesday May 14th 1746, A. M.

The House met according to adjournment.

Voted, That John Gage, Esq. be allow'd fifteen shillings & nine Pence in full of his account for transporting Capt. Moulton (a Capt. of a scout upon ye Frontiers) his Provisions &c to Rochester to be p^{d} out of ye money in ye Treasury for further carrying on ye Warr. Sent up by Mr. Weare.

The House adjourn'd til 3 o'clock.

Post Meridiem, 1746.

The House met according to adjournment.

Voted, That Capt. Thos Bell be allow'd sixty five Pounds nineteen shillings & nine Pence in full of his Muster Roll for himself & nine men (Christo included) posted at his Majestys Fort Wil-

liam & Mary from 13th Nov. to ye 25th March to be pd out of the money in ye publick Treasury for that use. Sent up by Capt. Chesley.

The committee appointed for receiving & telling of money, report that they had receiv'd of ye Treasurer ye sum of twelve hundred & fifty seven Pounds twelve shillings & four pence old Tenr part of Prov. Tax for ye yeare 1742 also received of ye committee for ye fifteen thousand Pound loan by ye Hand of the Honble George Jaffrey Esq. one hundred & thirty nine Pounds eighteen shills. part of sd 15000£ Loan all of which two sums were bro't into ye House & burnt to ashes in face of ye Genl Assembly. Therefore voted that sd Commtee be discharged of said sum. Sent up by Mr. Weare.

[p. 333.] Voted, That Joseph Moulton junr be allow'd fifty shillings in full for his going express to Boston in Febr last, to be pd out of ye money in ye Treasury for defraying ye charge of ye Government. Sent up by Mr. Weare.

Voted, That Mary Peacock be allow'd five Pounds six shillings in full of her account for boarding & lodging one French man from Novr ye 20th to Feb. ye 27th 1745 fourteen weeks & one day, to be paid out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Weare.

Voted, That his Excellency be desir'd to give orders for enlisting or impressing four good effective men to be posted at Capt. Cate's Garrison at Barrington for four months to be shifted once a month. Sent up by Mr. Weare.

Voted, That Docr Nathl Sargent junr be allow'd seven Pounds eleven shills & three farthings in full of his account for medicines & attendance on Henry Triffethen junr, Henry Trydick, Willm Lapish, Lewis Tucker, Thomas Card & Robt Martyn, Voluntiers on ye Expedition to be pd out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Weare.

The House adjourn'd till tomorrow 9 o'clock.

Thursday May 15th 1746.

The House met according to adjournment.

Voted, That all ye acts & Laws of this Province that are now in Force (excepting private acts) be printed as soon as it can conveniently be done & that Eleazer Russell Esq be a Comtee of this House to join such as shall be appointed by ye Hon. Council to get such of them as is necessary copied and ye whole methodized & a Table made to them & get them printed in ye cheapest & best manner they can. Sent up by Mr. Weare.

Richard Wibird Esq: bro't into the House sundry papers, some Relating to the Powder of Mr. Thomlinson & some Relating to the Indian affairs.

[P. 334.] Voted, That Doc^{r} Joseph Pierce Esq. be allow'd five Pounds twelve shillings & four Pence half penny for sundry medicins & attendance on Willm Canada a Prisoner & Eleazer Young a soldier at Winepisiokee Pond to be paid out of ye money in ye publick Treasury for Defence of ye Frontiers.

The House adjourn'd for two Hours.

Post Merediem 1746.

The House met according to adjournment.

The committee appointed to audit ye Treasurers acc^{t} being the s^{d} Treasurers account for ye years 1743 & 1744 into ye House which accounts are Read & said committee report as follows.

Province of N. Hampsh^{r}.

Portsm^{o}——

We whose names are under written being a comittee of audit appointed by ye Genl Assembly of s^{d} Province to Examine & audit the Treasurers acc^{ts} do report as follows. Viz^{t}, We Have Examined & audited ye s^{d} Treasurers account of Debt & Credit for ye year 1743 which account is on file & find ye same well vouch'd & right cast & that there is due to ye s^{d} Treasurer to Ballance s^{d} acc^{t} ye sum of one hundred & four Pounds four shills & one penny one farthing as witness our Hands this 15th Day of May 1746.

Jotham Odiorne
Theod^{r} Atkinson
John Downing
Peter Gilman
Henry Sherburne
Thos Bell
} Committee

The above return read & accepted & ye s^{d} Treasurer is hereby discharged of ye several sums wherewith he charges himself in s^{d} acc^{t} & that there now remains due to s^{d} accountant on s^{d} account one hundred & four Pounds two shillings & one Penny farthing.

[P. 335.] The committee appointed to audit ye Treasurers acc^{ts} also report as follows. Viz^{t}, We have examined & audited ye s^{d} Treasurers account of Debt & Credit for ye year 1744 & find ye same well vouched & right cast & that there is Due to ye Province from s^{d} Treasurer to Ballance s^{d} account the sum of five hundred & thirty six Pounds six shillings & five Pence witness our Hands at Portsm^{o} ye 15th Day of May 1746.

Jotham Odiorne
Theod^{r} Atkinson
John Downing
Peter Gilman
Henry Sherburne
Thos Bell
} Comm^{ee}

Province of N. Hampsh^{r} } In the House of Repre^{ts}

May 15th 1746—

The above Return being read

Voted That it be accepted & that ye said Treasurer be hereby discharg'd from ye several sums wherewith he charges himself in s^{d} account & that there now remains due to s^{d} Province from y^{e}

Treasurer ye sum of five Hundred & thirty six Pounds six shillings & five Pence lawfull money.

Mr. Secretary came into ye House & s^d^ his Excellency desir'd to know whether ye House would appoint a committee to write Mr. Apthorp relating ye Powder sent by Mr. Agent Thomlinson by Hammond last year or what they design to do that he might write Mr. Apthorp accordingly.

In answer to ye above message by Mr. Secretary, Ordered that James Clerkson Esq go up to his Excellency & pray that ye account of s^d^ Powder & Mr. Thomlinsons letter relating s^d^ Powder might be laid before ye House.

The House adjourn'd til tomorrow 9 o'clock.

Fryday May 16th 1746, A. M.

The House met according to adjournment.

N. B. The minuit of ye adjournment ought to have been enter'd before ye foregoing message by Mr. Secretary &c.

The House adjourn'd for two Hours.

[P. 336.] Post Meredium 1746.

The House met according to adjournment.

Mr. Speaker Stevens being absent upon a motion made & seconded by sundry members for choice a speaker pro tempore. The House proceeded accordingly & unanimously chose Mr. John Sanborn Speaker pro Tempore.

Whereas ye Treasurers allowance by ye vote of ye Genl Assembly of March ye 19th 1741 ceased ye twenty fifth of March 1745 for ye Reasons in s^d^ vote mention'd it is again,

Voted That ye Treasurer for the time being be allow'd & paid out of the Treasury of s^d^ province from & after ye twenty fifth of March 1745 for three years then next ensuing, ye sum of sixty Pounds pr annum in Bills of Cred^t^ for his service as Treasurer.

This vote was nonconcurred by ye Council & sent down again to ye House.

Whereas ye Honble George Jaffrey Esq. Treasurer of ye Province has been at extra ordinary Trouble in his office as Treasurer upon account of ye Expedition against Louisbourg in ye year past,

Voted That Provided the House's Vote of this Day for allowing the Treasurer for ye Time being sixty Pounds pr annum as Treasurer pass ye Honble Council & be assented by his Excellency ye Governour then there be p^d^ unto s^d^ Treasurer out of the money in ye Treasury for ye use of ye Expedition fifty Pounds for his extraordinary Trouble in ye affairs of s^d^ Expedition in ye year 1745. Nonconcurred & sent down again to ye House.

The House adjourn'd til tomorrow 9 o'clock.

Saturday May 17th 1746.

The House met according to adjournment.

Whereas his most Excellent Majesty in Council at the Court at Kensington on ye sixth of Sepr 1744 was pleased to order the [p. 337.] master of ordinance to send a certain Parcel of Canon Powder & other stores to this Province provided ye agent of sd Province should give security to pay ye Value of ye Powder within such Time as ye Board of Ordinance should think proper which Canon, Powder & other stores arrived here in the Ann & Jane, Capt. Anthony Hammond Commdr in June last & was landed at ye Expence of this Province at his majestys Fort William & Mary,

Voted That if a proper method can be agreed upon by ye Genl Assembly for raising the money to pay ye cost of sd Powder which by ye accts from ye Board of Ordinance amounts to six Hundred & fifty four Pounds sterling that then sd money with ye Interest thereof since it has been paid be forthwith remitted to John Thomlinson Esq. agent of this Province with Thanks of this House for his good Services in procuring ye sd Canon, Powder & other stores by a committee to be appointed by ye Genl Assembly for that Purpose & that ye said Powder be at ye disposal of ye Genl Assembly — That a suitable Part of it as may be agreed upon by ye Genl Assembly be lodged in the magazine at his Majestys Fort William & Mary under ye care of ye Captain of ye Fort for ye Time being to be by him accd for to ye Genl Assembly & that a Powder House be forthwith built in a suitable Place to Lodge ye Rest in under ye care of a proper Person or Persons to be appointed by the Genl Assembly & to be disposed of as ye Genl Assembly shall order for the Defence of ye Government (1). Sent up by Mr. Giddinge.

Mr. Secretary came into ye House & sd he was directed by his Excellency ye Governour to Inform ye House that he had adjourn'd ye Genl Assembly til Monday twelve o'clock at noon.

Monday May 19th 1746.

Some of the members not being a Quorum ye House adjourn'd til tomorrow 9 o'clock.

[p. 338.] Tuesday May 20th 1746, A. M.

The House met according to adjournment.

Voted that there be allow'd Docr Nath. Wiggins, twelve shillings & nine Pence in full of his account for medicines & attend-

(1) See, on this matter, the "Journal of the General Assembly," of correspondent date. —Ed.

ance on Fra^s Mason a Voluntier against Louisbourg to be p^d out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg. Sent up by Capt. Chesley.

Voted That there be a good sufficient Cart Bridge built over great Suncook River in or near ye Way that is clear'd from Durham to Canterbury. That ye charge thereof be paid out of ye Interest of ye 25£ thousand Loan, that is appropriated for Roads &c. in ye act for emitting said sum when so much shall be in ye Treasury of s^d Interest after what is already allow'd to be paid for his Excellency's Salary & Repairs of Fort William & Mary & that Tho's Davis Esq. be a committee of ye House to join such as ye Honble Council shall appoint to get s^d Bridge built after ye best & cheapest manner they can some Time between this & Novr next & that said committee give publick Notice of their Power of Building s^d Bridge that so any Person inclined to undertake ye Bargain may apply to them. Sent up by Capt. Jennes.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted That there be allow'd Capt John Goffe & ye forty four men under his command scouting from ye 24th april 1746 to ye 19th of may following, fifty nine Pounds ten shillings for wages & forty Pounds one shill for Provisions & fifty shills to send Capt Goffe for his extra service in enlisting men & transporting Powder to be pd out of ye money in ye Treasury for Defence of ye Government. Sent up by Coll Wallingford.

Voted That James Jeffrey be allow'd nine shills in full of his acc^t for three Days attendance as clerk of assembly when Doc. [p. 339.] Rogers was chosen speaker to be p^d out of ye money in ye Treasury for the contingent charges of ye Government. Sent up by Mr. Chesley.

Voted That there be eleven Pounds allow'd Benjn Acreman for his service as Doorkeeper to ye 25th of March last past to be p^d out of ye money in the Treasury.

Voted That Mr. Secretary Atkinson be allow'd seventy Pounds for his service as secretary to ye 25th March last past to be paid out of ye money.

Y^e foregoing vote was never sent.

The House adjourn'd til tomorrow 9 o'clock.

Wednesday May 21st 1746, A. M.

The House met according to adjournment.

Voted That there be allow'd Fra^s Tucker forty six shillings & six Pence in full of his account for Boarding French Prisoners sixty five Days from ye first of Octo^r last to be paid out of y^e

money in the Treasury for ye use of ye Expedition against Louisbourgh. Sent up by Mr. Chesley.

Voted That Thomas Packer Esq. be allow'd fifteen Pounds in full for his service as sherrif to ye twenty fifth of March last past being for three years to be pd out of ye money. Never sent up.

Whereas by the 25000£ act there is ye sum of twenty five hundred Pounds Part of the Interest of s^d^ sum appropriated for the [p. 340.] Repairs of his Majesties Fort William & Mary & whereas it may be necessary for strengthening s^d^ Garrison & making ye new Canon serviceable to build a new Battery or Batteries in addition thereto,

Voted, That ye committee for repairing of said Fort have Liberty if they think proper after they have done what they think necessary for repairing said Fort to lay out ye Remainder of s^d^ appropriated money in a new Battery or Batteries in addition to said Fort & to imploy ye men voted the tenth instant in said work. Sent up by Mr. Chesley.

The House adjourn'd til 3 o'clock.

Post Meridiem.

The House met according to adjournment.

Whereas several votes of importance pass'd this House last week & were sent up to ye Honble Council for Concurrence (on which the principal Business of this session depends) for want of the passing on which by ye Honble Council ye publick business is much hindred,

Voted, That a message go up to the Hon. Council praying them to pass on said votes more especially ye votes for ye Treasurer's allowance & ye Powder Votes. Sent up by Capt. Gilman.

Voted, That there be allow'd one Hundred & six Pounds thirteen shillings & two Pence for wages, eighty three Pounds ten shillings & three Pence for Provisions & nine Pounds Eighteen shills. & nine Pence for snow shoes & Maughgazins in full to Capt. John Goffe & ye thirty eight men under his command scouting on the Frontiers from Decr 23 to Ap^r^ 7th to be p^d^ out of ye money in ye Treasury for defence of ye Government. Sent up by Capt. Bell.

Voted, That ye Rev. Mr. Fitch & ye Rev. Mr. Shirtliff be al- [p. 341.] low'd fifty shills. each for their service in attending upon praying with ye Assembly to be p^d^ out of ye money in ye treasury for contingencies. Sent up by Mr. Giddinge.

The House adjourn'd til to morrow 9 o'clock.

Thursday May 22^d^ 1746.

The House met according to adjournment.

The committee for signing ye six Thousand Pounds for further promo^g^ Exped^n^ &c. bring into ye House ye following Rec^t^ Viz^t^

Prov^e N. Hamp^r Octo 11th 1745.

Pursuant to act of Genl Assembly for ye Emission of 6000£ Bills for a farther promoting & carrying on ye Expedition against Louisbourg received of Richard Wibird Esq. & others appointed by s^d act to sign ye same ye s^d sum of six thousand Pounds.

Pr Geo. Jaffrey, Treas.

Voted, Therefore that s^d committee be discharged of s^d sum. Sent up by Doc^r March.

Mr. Secretary bro't into ye House a Letter from Coll. Moore dated Louisbourg May 7th 1746 with a List of 12 soldiers dismiss'd ye service at Louisbourg (1) also his Excellencys reasons for not consenting to a vote of ye 17th Instant & concurred by ye Council ye 21st about Powder, which Reasons are on file.

Voted, That ye Committee who have ye keys of ye Province Box forthwith receive ye Blank sheets that are in the Treasury or any of the Com^tees Hands, & put them into s^d Box that they tell over all ye sheets and make Report to ye House in writing how many sheets there are of each sort. Sent up by Doc^r March.

Voted, That his Excellency ye Govr be desir'd to direct ye Secretary to lay his Maj^ties Royal Patent Instructions & order in Council refer'd to in his Excellencys message of this Day with ye acc^t of ye cost of ye canon Powder & other stores that come from ye Board of ordnance before ye House as soon as may be. Sent up by Capt. Leavit.

[p. 342.] The House having determined to take a view of Fort William & Mary this afternoon,

Adjourn'd til to morrow 9 o'clock.

Fryday May 23^d 1746.

The House met according to adjournment.

The committee appointed to receive the Blank sheets of money bring into ye House ye following Receit, vizt

In Pursuance of ye vote of Assembly of yesterday we have receiv'd of Mr. Treasurer Jaffrey seventy four sheets of Blank Bills of ye Small Plate & fourteen Ditto of ye large Ditto & one Blank 7: 6 Bill & have lock'd them in ye Box.

Eben^r Stevens } Comm^ee
Theod^r Atkinson }

Voted, That Capt. John Goffe be allow'd fifty shillings in full of his account for Journeys to Portsmouth & extraordinary charges thereon to be pd out of ye money in ye Treasury for ye Defence of ye Government. Sent up by Mr. Macmurphy.

Whereas Mr. Secretary inform'd ye House in a message from ye Honble Council ye 21st Instant y^t ye Houses two votes for ye Treas-

(1) This Letter is found in "Journal of General Assembly."—*vide.*—Ed.

urers allowance of ye 16th Instant were nonconcurred by ye Honble Council,

Voted, That ye Honble Council be desir'd to send ye s^d votes down to ye House again. Sent up by Coll. Wallingford.

Whereas a message was sent to his Excellency ye Governour yesterday desiring him to direct ye Secretary to lay several Papers referr'd to in his Excellencys written message to ye House & among others ye Perticular account of ye Cost of ye ordnance Powder & other stores which came from ye Board of Ordnance & whereas in answer to said message by Mr. Secretary there was no notice taken of s^d particular accounted,

[p. 343.] Voted, That his Excellency be desir'd to direct ye Secretary to lay said particular account or Invoice of ye Ordnance Powder & other stores before the House as soon as may be. Sent up by Coll. Wallingford.

Voted, That there be allow'd thirty five shills & six Pence to Doc^r Saml Adams in full of his account for medicines & attendance on Daniel Doe a voluntier ag^t Louisbourg to be paid out of ye money in ye publick Treasury for ye use of the Expedition ag^t Louisbourg. Sent up by Capt Jennes.

Whereas ye Treasurers allowance by vote of ye Genl Assembly of March ye nineteenth seventeen hundred & forty one ceased the twenty fifth of March 1745 for ye Reasons in s^d vote mentioned it is again

Voted, That ye Treasurer for ye time being be allow'd & paid out of ye Treasury of s^d Province from & after ye twenty fifth of March 1745 for three years then next ensuing the sum of sixty Pounds pr annum in Bills of Credit for his service as Treasurer. Sent up by Maj. Davis.

The House adjourn'd for two Hours.

Post Meridiem, 1746.

The House met according to adjournment.

Voted, That there be allow'd to Danl Rogers administrator to ye Estate of Doc^r Nathl Rogers late of Portsmouth Esq. Deceas'd twenty eight Pounds & Eleven Pence one farthing in full for medicines & attendance on Benj. Thomas, Weymouth Ham, Edwd Pendexter, John Deverson & sundry other voluntiers in ye Expedition against Louisbourg to be paid out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Giddinge.

[p. 344.] Voted, That there be allow'd thirty shillings unto Joseph Berry in full of his acc^t for Expresses to Kingstown, South Hampton, Chester, Londonderry, & Dunstable to be p^d out of the money in ye Treasury for contingencies. Sent up by Mr. Sanborn.

Voted, That all Expresses from Town to Town within ye Province be allow'd three Pence pr mile for Travel & no other Expence.

Voted, That ye following answer be sent up to his Excellency ye Gover^s speech of ye 6th instant.

May it Please your Excellency—

We ye Representatives of his Majestys most loyal & Dutyful subjects of his Majesties Prov. of N. Hampsh in Genl Assembly conven'd having consider'd of ye several matters mentioned in your excellency's speech of ye 6th Instant do beg leave to say in answer thereto that if there has been any delay in transmitting the publick accounts agreeable to his Majestie's command it has been very contrary to ye minds of this House & our several votes since our first meeting in ye Genl Assembly praying your Excellency to direct ye Treasurer to lay his accounts before ye House testify our earnest Desire to have had them settled & what publick accounts have been hitherto laid before us conformable to ye acts and votes of ye Genl Assembly have been without any Delay & with as much Dispatch as ye Nature of them would admit of passed on, & as ye Treasurers accounts for the year 1745 remains unsettled we pray your Excellency would direct him to make them conformable to ye votes of ye Genl Assembly and forthwith lay them before ye House that they may be immediately passed on. The care this House has taken to choose committees to enquire into ye state of the 15000 £ loan and other Funds of ye old Tenor [p. 345.] will we hope shew our hearty Desire of having ye acts complied with & ye currency of those bills determined. And we hope ye ample Grants made this session of men for his Majes^t Fort William & Mary & for Guarding ye Frontiers will sufficiently evidence how much we have at Hart ye Honor of his Majesty your excellency's ease & quiet & ye safety & Defence of ye People of this Province whom we represent.

We take this opportunity to thank your Excellency for your care in ye Recess of ye Genl Assem in sending ye Reinforcement of twenty men to Canterbury & Rochester & ordering ye scout of fifty men for fourteen days under Capt Goffe & ye Troopers to Canterbury & as ye muster Rolls for those men are laid before House we shall chearfully order ye paying of them & beg ye continuance of your Excellencys care in ordering out as soon as possible ye men granted for guarding ye Frontiers this session & pray that your Excellency will be pleased to give proper encouragement to all suitable Persons that may appear as Volunteers to go out on ye first scalp Vote as well as the Vote for fifty Volunteers on Wages & we hope ye committee appointed for that Purpose will cause ye bridge to be built over Suncook River as soon as ye Waters will admit of it y^t our scouts may have a quicker & easier way to ye most exposed Frontiers. We also thank your Excellency for directing ye committee to take up & send a vessell to Louisbourg to bring Home those of our Dear Country men that yet remain there & hope we shall soon have the Pleasure of congratulating your Excellency on their safe [arrival] in this *Report.* We are really concern'd that ye House's Vote of ye 17th Curr^t in answer to that Paragraph of your Excellency's speech relating to ye 180 B^lls of Gun Powder sent to this Government by his most gracious Maj^y which is concurr'd by ye Hon^bl Council should meet with any difficulty with your [p. 346.] Excellency. We think it no ways inconsistent with his Majesties order in Council of ye 6th of September 1744, or any Instructions that have been laid before this House & cant help thinking but it will be most agreeable to his Majesty as it is so highly reasonable that if we pay for Powder it should be at ye Disposal of ye Genl Assembly for ye Defence of his Majesties Govern^t especially as it will then be in your Excellencys Power to obey his Maj. Command in ye said order in Council which are to take a particular care in ye Preservation of s^d Ordinance & stores & that they be not expended but on proper & necessary occasions only for as your Excellency is one Branch of ye Legislative Power none of it can be disposed of without your Excellencys consent as for the Powder becoming ye property of any private person we see nothing in his Majesty's order in Council that in ye least countenances such a thing for if so it is impossible for your Excellency to take that care of it his most gracious Majesty requires.

We assure your Excellency that we think our selves oblig^d to John Thom-

linson Esq. our agent for his care in procuring ye canon Powder & other stores & are heartily ready & willing to pay what ye Powder is charged in ye account from ye Board of Ordnance with the Interest of ye Money since it has been paid provided a method can be agreed upon for raising ye money & ye powder to be disposed of for ye Defence of ye Governm^t agreeable to ye Votes of ye Genl assembly. But we think y^t we should greatly betray our Trust if we should dispose of so large a sum of money as this would be never to have any account what becomes of it We therefore earnestly pray that [p. 347.] your Excellency would be pleased further to consider of this matter & consent to our vote for ye Payment of s^d Powder which now lays for your Excellencys concurrence we have pass'd & sent up a vote y^t ye several comm^ee for ye expedition against Louisbourg should lay their accounts before ye House as soon as may be and ye House now has your Excellencys Proposal of choosing a com^ee to correspond with ye agent under consideration we thank your Excell^y for acquainting him with ye Part we bore in ye expedition ag^t Louisbourg & beg leave to conclude with ye strongest assurances of ye Disposition of this House to do all in our Power consistent with ye Welfare & Happiness of our constituents to make ye Burthen of Government which at this difficult time may lay so heavy upon your Excelleney both easy & light & our most Hearty and earnest prayers for your Excellencys Temporal & eternal Happiness.

Sent up by Coll. Gilman, Mr. Sanborn & Mr. Giddinge.

The House adjourn'd til tomorrow 8 o'clock.

Saturday May 24th 1746.

The House met according to adjournment.

Voted That a message be sent to his Excellency praying him to order ye new Canon to be mounted or as many of them as he thinks proper & plac'd where they might be serviceable upon any emergency til suitable Batteries are built for placing them in. Sent up by Mr. Sanborn.

Voted That ye com^ee for repairing ye Fort get ye Gun Carriages new & old primed & take other proper care for their preservation & ye Expence of ye Government to be paid out of ye money appropriated for repairing ye Fort. Sent up by Mr. Sanborn.

[p. 348.] Voted That Mr. Henry Sherburne jun. be a com^tee of this House to join such as may be appointed by ye Honble Council to appear at a convention of commissioners from each Government on this Continent to consult upon proper methods of carrying on ye war against our common enemies when there shall be a convention agreed upon & a proper Place appointed for holding ye same there to act in behalf of this Government as shall be directed from Time to Time by the Genl Assembly. Sent up for Concurrence.

Mr. Secretary & Mr. Solly bro't down ye preceding Vote & said ye Council were of opinion that ye Power of appointing commissioners was solely in ye Governour & left ye vote to be reconsider'd.

Mr. Sheafe bro't down ye vote for ye Treasurers allowance & said ye Council had two objections against it vizt.

1st The Council tho't it was enough. 2d That it ought not to be stated for above one year. After some Debate on ye foregoing objections ye following vote was sent up.

Whereas ye Treasurers allowance by ye vote of ye Genl Assembly of March ye 19th 1741 ceased ye 25th Mar. 1745, And whereas ye Honble Council have this Day objected against ye Houses vote of ye 23d Instant for ye Treasurers allowance,

Voted That ye Honble Geo. Jaffrey Esq. Treasurer of this Prov. be allow'd sixty Pounds in full for his service as Treasurer for ye year 1745 to ye 25 of March last, & also that he be farther al- [p. 349.] low'd ten Pounds in full for his extrar service as Treasurer in supplying ye soldiers in ye Fort & on ye Frontiers with Provision & ammunition &c for ye sd year 1745. Sent up by Maj. Davis.

Voted That John Thomson's Muster Roll for eleven men scouting about Rochester, Barrington &c from ye 23d Apl to ye 20 May amounting to thirteen Pounds sixteen shills & a penny be allow'd & pd out of ye money in ye Treasury for ye Defence of ye Frontiers. Sent up by Jon Macmurphy Esq.

Mr. Secretary came into ye House & sd he was directed by his Excellency to inform ye House yt he had prorod ye Genl assembly to Tuesday ye first Day of July at ten o'clock & then declar'd ye Court prorogu'd accordingly.

[p. 352.] The following memoranda are written on the paper cover (1) of this part of the Journal.

Declaration against Indians.
Majestys order in Council on Fort Dummer Sept 6, 1744.
Copy of Lieut Genls Letter from the camp Louisbourg May 12, 1745.
Gov. Shirleys letter concerning raising men for the army 15th May 1745.
Lieut Genl Pepperells letter Camp before Louisbourg May 16th, 21st 1745.
Coll Moores do. May 13 & 21, 1745.
Paragraph of Gov. Shirleys letter 17 June, 1745.
Extract from Commodore Warrens letter relating to taking the Vigilant, 22 May 1745
Gov. Shirleys Letter with his Majestys order about Fort Dummer, 25 Feb. 1744.
Coll Moores letter from on board the Superb, 22 May 1745.
Do " from Camp before Louisbourg 2 June, 1745.
Do " to George Jaffrey 13 May, 1745.
Do " To Gov. Wentworth 23 Apr. 1745.
Lieut Gen. Pepperells letter 9 July, 1745.
John Thomlinson's letter 3 Oct. 1744.
Report of Massts Committee 20 July, 1744.
Minutes of a council of War at Louisbourg 24 June, 1745.
Com. Warrens Letters from Superb 24 June, 1745.
Do. & Gen. Pepperells 10 July, 1745.
Col. Moores do. July 1745.
do " 6 Apr. 1745.
Copy of Gen Pepperells orders to Col Moore.
Lt. Gen. Pepperells Letter to Gov. Wentworth 10 Apr. 1745.
Gov. Shirleys do. 15 June 1745.
Do. " 20 Dec. 1745.

(1) The paper cover, which was taken off when bound.—Ed.

Report of Mass^{tts} Com^{tte} 13 Dec.
Paragraph of a Letter Feb.
Mass^{tts} vote [oblit]
Ditto [do]
A List of men sent to N [oblit] from Col Moores Reg^{t}. [worn off.]
Gov. Shirleys letter 2 Sept. 1745.
Col Moores letter to the Committee of the 5 Sept. 1745.
Col Moores letter to Gov. Wentworth Sept. 1745.
Ditto, Ditto 3 Sept. 1745.
Gov. Clinton's &c account of what pass'd between y^{e} [oblit] of Canada and the Indians at Montreal.

[P. 355.] A Journal of a Convention of ye members of ye House of Representatives conven'd by a written Summons in ye following words, viz.

Province of N. Hampsh^{r}.

Portsmouth, May 29th 1746.

Gent.

I am commanded by his Excellency ye Governour to summon ye speaker & ye Representatives of ye respective Towns within this Province to attend at ye Court House on Tuesday ye third day of June next at ten o'clock in ye forenoon on an affair of great Importance & desire you to take notice accordingly.

I am, Gent^{n}, y^{r} Humb. Servt

Thomas Packer, Sheriff.

Tuesday June ye 3^{d} 1746, the following members present Viz^{t}.

Mr. Speaker Stevens	Saml Palmer Esq
James Clerkson Esq.	Mr. John Sanborne
Eleaz^{r} Russel Esq.	Mr. Meshech Weare
Mr. Henry Sherburne	Coll. Peter Gilman
Coll. Th^{r} Wallingford	Mr. Zeb Giddinge
Maj. Thos Davis	Thos Bell Esq
John Gage Esq	Richd Jennes Esq
Moses Leavit Esq	Capt Jona^{n} Chesley
Jo^{n} Macmurphy Esq	Capt Israel Gilman
Clem^{t} March Esq	

[P. 356.] Clem^{t} March Esq & Mr. Zeb Giddinge were sent to acquaint his Excellency what members were present.

The Secretary soon came & inform'd ye House that his Excellency had an affair of great Importance to lay before ye members & desir'd y^{t} the members might be enjoined secrecy & also that his Excellency desir'd to see ye members in ye Council Chamber upon which

Voted That ye affairs to be communicated by his Excellency to ye members convened be kept a secret til proper time for making ye same publick — And then ye speaker & ye members attended

upon his Excellency in ye Council Chamber where his Excellency was present with nine Councillors vizt.

The Honble Geo. Jaffrey Esq.
Jotham Odiorne Esq
Henry Sherburne Esq
Theod^r Atkinson Esq
Richd Wibird Esq
Saml Smith Esq
John Downing Esq
Sam Solly Esq
Sampson Sheaf Esq.

When his Excellency was pleas'd to make ye following speech, Viz^t

On a special Convention of ye members of both Houses on Extraordinary affairs.

Gentlemen of ye Council & Assembly —

His Majesty having been pleas'd to order five Battalions of his own Troops under ye command of Lieut. Genl Saint Clair together with Maj. Genl Framptons Regiment sent to Cape Britton from Gibralter to be join'd with such [P. 357.] Troops as shall be levied in North America to Rendezvous at Louisbourg & proceed from thence under ye convoy of his Maj^s Fleet commanded by Rear Adm^l Warren up ye River St Lawrence for ye immediate Reduction of Canada — I am commanded by ye King to make a necessary & immediate Disposition for raising as many men to be imploy'd in this Expedition as ye Time will permit ye men that go in this service are to be in his Majestys pay from ye Time of entering into ye service to share in any Booty that may be taken from ye Enemy dismiss'd & sent back to their respective Habitations when ye service is over unless they desire to remain elsewhere.

The officers I shall appoint to command ye Troops that shall be Levied in this Government will also receive ye King's Pay & bear Commissions under his Majesty His Grace ye Duke of New Castle having signified to me that a number of Blank Commissions will be sent pr ye Next Conveyance which I am daily expecting.

Upon ye success of this Expedition ye future Tranquility of this Continent greatly depends & since his Majesty has (in this Time of great Difficulty) contributed so greatly to ye setting on Foot this Expedition by ordering five Battallions of his own Troops with Maj^r Genl Frampton's Regiment &c. and a sufficient convoy of his Royal Navy to defend them against any attempts that ye enemy may make to defeat this great Design — I am hoping ye respective Governments on ye Continent will exert themselves to give all possible Despatch to ye respective Levies that neither ye Fleet nor ye Kings Troops may sustain any Delay by our Negligence therefore I think it necessary to acquaint you that it is intended that Lieut. Genl. St Clair was to sail from England ye latter end of April or ye Beginning of May at Farthest & that I am com^d to [P. 358.] take effectual measures y^t ye Troops I shall raise in the Government may arrive at Louisbourg before ye Time Lieut. Genl St. Clair may be expected there.

I can't convey to you what his Majesty expects from all ye Colonies in clearer Terms than by reciting ye words of his Grace ye Duke of New Castle's Letter to me of ye 9th April 1746, which are as follows:—

"As to ye article of arms & cloathing for ye men to be raised his Majesty has commanded me to recommend it to you & ye other Governours to take care that ye soldiers may be provided with them & his Majesty has authorized & Impowered Lieut. Genl St Clair to make a reasonable allowance for defraying that expence.

"You will recommend it to ye Council & Assembly to provide a sufficient number of transports to carry ye Troops to be raised in New Hampsh^r to Louisbourg & from thence up ye River of St. Larence & a sufficient Quantity of Provisions for their subsistence & also to provide as many armed vessells as can be got to serve in ye Expedition under ye command of rear Admiral Warren."

By ye first Paragraph of his Graces Letter you will observe that ye Province is only to advance ye money for arms & cloathing for ye Troops design'd to be raised here & that it will be repaid by Bills (upon ye construction I put on it) on ye Treasury to be drawn by Lieut. Genl St. Clair.

By ye latter Paragraph of ye same Letter it appears y^t ye Expence of Transports Provisions & armed Vessell is to be born by ye respective Governments, but I am apprehensive that also will be repaid by ye Crown uppon proper ap- [P. 359.] plication & y^t ye sudden Resolutions his Majesty was pleased to take in forming this Expedition prevented ye necessary Provision being made for what he requires from his Governments on ye Continent.

I hope therefore you will with ye utmost Dispatch & with ye greatest chearfulness enable me effectually to carry his Majesties Commands into execution by granting an ample & sufficient Bounty to such of his Majesties subjects as shall appear to enlist for this service & to do every thing that may contribute to ye quickest Imbarkation of ye Troops to be raised in ye Government.

The daily Captivities & frequent Murders committed by ye Indian Enemy who are instigated by ye French at Canada to such acts of Cruelty make it our Duty to engage with Hart & Hand in this Expedition & after we have done our part we should with Harts overflowing with ye warmest Gratitude to ye most Right God adore his infinite wisdom in inclining & disposing ye Hart of our most Gracious Sovereign to undertake an Expedition calculated so much for our advantage at a time when all ye nations of Europe are labouring under ye dreadful calamities of war & his Majesties own Kingdoms invaded by Traitors & Rebells.

Upon these considerations Gentlemen, & from ye Justness of our cause wee may upon rational principles trusting to ye conduct of Divine Providence hope for success in this important undertaking.

An undertaking which we must view in all its consequences & though it [P. 360.] may be attended with a great expence it will not be perpetual for if it should please God to give success to his Majesties arms in ye Reduction of Canada ye Indians must then become our unalterable Friends ye Expence of our scouts & Inland Frontiers would wholly be taken off a Flow of wealth & increase of Inhabitants must consequently be introduced & every one would enjoy ye Blessings of Peace under his own vine.

As ye subject of my speech will not admit of ye least Delay I must Desire that a committee of both Houses may take it under their immediate consideration & Report thereon to me with all possible Dispatch.

B. WENTWORTH.

Council Chamber in
Portsmouth June ye 3^d 1746.

Adjourn'd for two Hours.

Post Meridiem.

Met according to adjournment.

Voted, That ye Honble Eben^r Stevens Esq. Coll. Thos. Wallingford, Coll. Peter Gilman, Mr. John Sanborn & Mr. Henry Sherburne jun^r be a committee of ye convened members to join such as may be appointed by ye Honble Council to consider of ye subject matters of his Excellencys speech & make Report to his Excellency & ye convention of both Houses as soon as may be what may be proper to be done by this Convention of ye members of both Houses relating thereto & what method may be proper for them to proceed in,

[P. 361.] Voted That Sam[l] Palmer Esq & Mr Meshech Weare be comm[ee] to answer his Excellencys speech.

Mr Secretary came down & said y[e] vote for a committee to consider y[e] subject matter of his Excell[s] speech &c was concurred & that a comm[ee] of council was join'd.

Adjourned til tomorrow 9 o'clock.

Wednesday June 4th 1746, A. M.

Met according to adjournment.

Voted That y[e] following be sent in answer to his Excellencys speech of yesterday.

May it please your Excellency,

The undertaking of an Expedition for y[e] Reduction of Canada has been much in our Thoughts & it gives us very pleasing Expectations to find his Majesty is now engaged in this great Design as we are informed by your Excellency's speech to us & that he designs so many of his own Troops to be employed in the great undertaking.

We are sensible of y[e] very great advantage y[e] reducing of that Place must be to all his Majesties subjects in these Parts in y[e] various Instances mention'd in your Excellencys speech & beg leave to express our sincere Gratitude for his Majestys Favours both in sending his own Troops & in defraying y[e] charge of those that are to be raised here & our Disposition to contribute all in our Power to forward an affair in which we are so nearly concerned & as y[e] season of y[e] year as well as y[e] expected arrival of his Majesties Troops require that things be done with all Dispatch we will with all diligence apply [P. 362.] ourselves to them & have chose a comm[tee] to join with a comm[ee] of council to consider of y[e] subject matter of your Excellencys speech & to report thereon & not doubting of y[e] justness of our cause & from y[e] Hopefull Prospect y[t] it will be successful we are sensible we are under strong obligations to be thankfull to our maker that it is bro't thus on foot & to have our earnest supplications to him y[t] it may be prosperous to y[e] end, & desire cheerfully to commit our selves to y[e] conduct of y[t] good Providence which has hetherto so remarkably appeared for us.

Ebz. Stevens, Speaker.

Mr Secretary bro't down y[e] Duke of N. Castle's Letter Dated April 9th 1746 to his Ex[y] Gov Wentworth relating y[e] Expedition to Canada &

The Hon Sam[l] Solly Esq bro't down the Report of y[e] committee appointed yesterday to consider y[e] subject matter of his Excellencys speech &c & after much debate

Voted unanimously That y[e] following Report be accepted with y[e] following amendment of y[e] first article Viz.

That his Excellency be desired to inlist as many men to serve in s[d] expedition as can be got ready to imbark by y[e] last Day of July next.

We whose names are under written being appointed a committee by y[e] Gen[l] Assembly at a special convention holden at Portsmouth y[e] 3d Day of June 1746 to take under consideration y[e] subject matter of his Excellencys speech of this Day to y[e] s[d] Convocation of both Houses relating to y[e] Expedition against Canada and having taken the s[d] speech under consideration do make our Report as follows Viz[t]

[P. 363.] 1st That his Excellency be desired to enlist one thousand good effective men to serve in the sd Expedition or as many as can be got ready in season.

2d In order to render ye sd Levy ye more effectual that there be allowed to each volunteer ye same Bounty & Encouragement as shall be given to Volunteers raised in ye Massachusetts Government for ye sd Expedition.

And that inasmuch as it will be utterly impossible to effect this affair without an emission of paper money therefore that there be immediately struck off & signed ye sum of sixty Thousand Pounds & that necessary committees be appointed to transact & forward this affair.

Submitted

Geo Jaffrey
Theodr Atkinson
R Wibird
Saml Solly
Sampson Sheaf
Ebenzr Stevens
Peter Gilman
Thos Wallingford
John Sandburn
Henry Sherburne Jr.

Mr Secretary came down & said ye Vote for ye acceptance of ye Report of ye committee appointed to consider ye Subject Matter of his Excellencys speech &c was concurred by ye Council & assented by his Excellency, and said the Council desired to know if there was anything more like to come up ys forenoon.

Adjourned for two Hours.

[P. 364.] Post Meridiem.

Met and adjourned till tomorrow 9 o'clock.

Thursday June 5th Ante Meridiem.

Met according to adjournment.

Whereas his Excellency ye Governour has been pleased to communicate to ye convened members his Majesties most gracious Design of carrying on an expedition against Canada & of sending a large number of his own Troops under a strong convoy of his Majesties ships also his Majs Royal Command in his Grace ye Duke of New Castle's Letter to his Excellency to make ye necessary & immediate Dispositions for raising as many men in this Province to be imployed in this Expedition as ye time will admit to be in his Majesties Pay to have cloathing arms Provision &c provided by this Province to be repaid by Lieut Genl St Clair,

The Convention of members being willing to do all in their Power to forward this noble & great undertaking but the Province not being able under their present circumstances to do any thing without a new emission of paper Bills And whereas a Committee appointed to consider ye Subject Matter of his Excellency's Speech have reported that his Excellency be desired to enlist as many men as could be got ready by ye last of July next

on ye same encouragement as is given by ye Province of ye Massachusetts Bay and that there be immediately struck off & signed ye sum of Sixty Thousand Pounds &c.,

Voted That there be forthwith imprinted & Signed by ye Committees hereafter in this Vote for that Purpose appointed ye sum of Sixty thousand Pounds in Bills of Credit on this Province [p. 365.] equal in Value to so much in Bills of Credit on this Province of ye last emission of ye same Ten^r^ & Form to be struck from ye same Plates Viz, fifty five Thousand Pounds thereof from ye large Plates & ye Remainder being five Thousand Pounds from ye small Plate for supplying ye Treasury towards defraying of ye said Expedition for ye Reduction of Canada & That ye said Bills be put into ye Treasury & there remain for defraying ye charge of imprinting & signing ye same for paying committees y^t^ may be imploy'd in ye Premises Providing & fitting Transports & Vessells of Force procuring Provisions, arms, cloathing &c for ye use of s^d^ Expedition & for ye Payment of such allowance only as shall be made from Time to Time by ye Genl Assembly relating thereto to be drawn out of ye Treasury by his Excellency ye Governour's Warrant with ye advice of ye Council agreeable to ye Votes of ye Genl Assembly — And y^t^ ye Genl Assembly on their meeting in July next immediately on their coming together pass a proper act or acts for confirming ye Proceedings of this Convention & providing sufficient funds for bringing in & sinking ye said Bills.

That Richd Jennis Esqr Mr Mesheck Weare & Capt Jonathan Chesley be a committee to join such as may be appointed by ye Honble Council forthwith to get ye said Bills impressed in ye best manner & with ye greatest Dispatch possible either at Boston or this Place & as ye s^d^ Bills are struck deliver them to ye signing [p. 366.] committee That ye Honble Eben^r^ Stevens Moses Leavit Eleazer Russell John Sanborn John Gage Clem^t^ March John MacMurphy Tho's Davis Esq^rs^ & Capt Israel Gilman be a committee to join such as may be appointed by ye Hon^r^ Council to sign s^d^ Bills — That each Bill be signed by three of s^d^ Committee & that as ye s^d^ Bills are signed they be delivered to ye Treasurer of this Province for ye Time being That ye committee take a Rec^t^ therefor & lay it before ye Genl Assembly.

That a proper Commissary or Commissarys to go with ye men to be raised & take care of their Provisions Stores &c & deliver them out be appointed by ye Genl Assembly That proper Instruction agreeable to Votes of ye Genl Assembly be given to them by ye committee by this Vote appointed — That ye Blank sheets now in ye Prov. Box be forthwith sign'd off by ye signing committee as Part of ye s^d^ sixty Thousand Pounds.

That ye s^d^ committees be under oath to ye faithful Discharge of their Respective Trusts.

That ye Honble Eben Stevens Esq Mr Henry Sherburne jun^r^ Coll Thos Wallingford Thos Bell Esq Mr Zebulon Giddings & Saml Palmer Esq be a committee to join such as may be appointed by ye Hon^r^ Council to provide & fit Transports & Vessels

of Force procure arms provision, cloathing & whatever else may [p. 367.] be necessary for promoting this great Design & to do & transact every affair proper for a committee to act in relating to ye said Expedition & y^t when ye s^d Bills are in ye Treasury they be paid to ye s^d Committee by his Excellency's Warrant as afore^sd as they may have occasion for it for ye use of ye Premises. Sent up.

The Hon^r Saml Solly & Sampson Sheaf Esq. brought down again ye foregoing vote & said they were directed by his Excellency to inform ye House y^t in as much as ye Troops proposed to be rais'd would be in ye Kings Pay & that it was his Majesties Prerogative to appoint all officers, he objected to s^d vote &c— upon which ye Convention Took s^d vote under consideration immediately & order'd that ye Paragraph appointing a Doctor & Chaplain to be erased which being done it was sent up again by Capt Gilman.

Mr. Secretary bro't down ye above mention'd vote again & said ye Governour & Council could not consent y^t the Genl Assembly should appoint a commissary & gave the Reasons & then withdrew And then—

Voted unanimously y^t ye Convention adhere to ye vote as it stands.

Mr. Secretary came down & said y^t ye above mentioned Vote was concurr'd by ye Council & assented by his Excellency & that ye Council had appointed a committee of War & for signing ye money & had chosen ye same committee for getting ye money impressed y^t ye House had.

And then Mr. Secretary said his Excellency had nothing more to recommend to the Convention.

[p. 372.] Anno Regni Regis Georgii secundi Magnæ Brittaniæ Franciæ & Hiberniæ Vigessimo Annoque Domini 1746.

A Journal of ye House of Representatives (1).

At a General Assembly of his Majesties Province of New Hampshire began & held at Portsmouth in said Province on Wednesday ye fifth Day of June 1745 & thence continu'd by Sundry adjournments & Prorogations to ye first Day of this Instant July 1746.

(1) Names of Members of the House.

Kingston,	The Honble Eber Stevens, Esq.	New Castle,	Capt. Tho's Bell, Esq.
Portsmo.	James Clarkson, Esq.	Rye,	Capt. Rich'd Jennes, Esq.
	Eleaz'r Russell, Esq.	Stratham,	Capt. Moses Leavitt, Esq.
	Mr. Henry Sherburn,	Newington,	Capt. John Nutter,
Dover,	Coll. Tho's Wallingford, Esq.	Londonderry,	John McMurphy, Esq.
	John Gage, Esq.	Greenland,	Clement March, Esq.
	Maj. Tho's Davis,	Durham,	Capt. Jona. Chesley,
Hampton	Samuel Palmer, Esq.	New Market,	Capt. Israel Gilman,
	Mr. John Sandburn,		D. Pierce, Clerk.
	Mr. Meshech Weare,		
Exeter,	Coll. Peter Gilman, Esq.		
	Mr. Zeb Giddinge,		

Tuesday July 1st 1746, P. M.

A Quorum of ye House met.

Order'd That Mr. Sandburn inform his Excellency that there is a House.

Mr. Secretary came down & sd his Excellency required ye attendance of ye House in ye Council Chamber & then ye House repair'd to ye Council Chamber accordingly, when his Excellency made a speech whereof the following is a copy. Vizt.

[See Journal of General Assembly.]

The speech being ended the House retired to their Room & then

Adjourn'd til tomorrow 9 o'clock.

Wednesday July 2d 1746, A. M.

The House met according to adjournment.

Voted That Mr. Clerkson prepare an answer to his Excellencys Speech.

Voted That there be allow'd twenty four Pounds two shills to Joseph Cass & nine men under his command Guarding ye Garrison at Canterbury about their Planting &c twenty eight Days from 21st Apr to be pd out of the money in ye Treasury for Defence of ye Government. Sent up by Mr. Giddinge.

[P. 375.] The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted That Docr James Scales Esq be allow'd six shillings & three Pence in full for Physick &c administerd Nathl Ladd while sick at Canterbury in his Majesties service to be pd out of ye money in ye Treasury for Defence of ye Government. Sent up by Mr. Giddinge.

Voted That John Leavit, Nathan Ladd, Aaron Rawlings and Neal MacMullen be allow'd Seven Pounds ten shillings & a half Penny in full for their Muster Roll for service at ye Garrison at Canterbury under Capt. Clough forty one Days from ye 9th April 1746 & yt Capt Clough be allow'd Six Pounds Eight shillings & seven Pence half Penny in full for Provisions & Amunition supply'd ye above mention'd four men to be paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Mr. Giddinge.

The House adjourn'd 'til tomorrow 9 o'clock.

Thursday July 3d 1746, A. M.

The House met according to adjournment.

Voted That his Excellency ye Governour be desir'd to give orders for inlisting or impressing fifty good effective men besides those already granted to be imploy'd for three months if necessary, in scouting & guarding ye Frontiers & ye Inhabitants of ye most exposed Places to ye Eastward of Merrimack River while [P. 376.] they are at Work and when they are not immediately wanted for that to join in one Body scout a cross ye Heads of ye Towns & be constantly on Duty & that they be shifted once a month but not dismiss'd 'til relief'd by other men. Sent up by Mr. Macmurphy.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment and adjourn'd 'til to morrow 9 o'clock.

Fryday July 4th 1746.

The House met according to adjournment.

Voted, That ye answer to his Excellency's speech a copy whereof is on File be sent to his Excellency. Sent up by Mr. Sanborn & Giddinge.

[See the answer in Journal of General Assembly.]

Mr. Secretary came down & said his Excellency desir'd ye House would proceed on ye money Bill immediately.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted unanimously that ye vote of ye Convention of ye fourth of June last for money Committee &c. for an Expedition against Canada be ratified & confirm'd & for a Fund for bringing in & sinking said Bills thereby to be emitted for ye Encouragement of Voluntiers & Further use of said expedition & that as the money is repaid by his Majesty to be put in ye Treasury as a Fund for ye immediate bringing in and sinking said Bills & if any Part of said sum shall be left that it be burnt to ashes in ye Face of ye Genl Assembly for ye sinking so much of said sum unless other- [P. 377.] wise order'd by ye Genl Assembly & that Coll. Gilman & Mr. Weare be a Committee of this House to join such as may be appointed by ye Honl Council immediately to draw up an Act accordingly. Sent up by Majr Davis & Mr. Sanborn.

Voted, That Coll. Josiah Willard be allow'd ninety one Pounds Eleven Shillings & six Pence in full of his account for billetting 24 men three months & 15 Days & one man two months & ten Days ye amount of which at 9*d* per Day as he has set it down

is forty two shillings & two Pence under ye Act to be paid out of ye money in ye publick Treasury for Defence of ye Government. Sent up by Mr. Macmurphy.

The Petition of Eben^r Spaulding Step^n Spaulding Willm Butterfield & Len^d Cummins representing their being obliged to pay Rates to both Litchfield & Londonderry & praying relief from ye afores^d Difficulty &c. being read,

Voted, That ye Prayer of ye Petitioners be granted in ye following manner Viz: that ye Constable or Constables of Londonderry pay to ye said Petitioners ye several sums collected by them from said Petitioners by Virtue of their Rate List from ye select men of Londonderry & y^t ye s^d select men discharge s^d Constable or Constables from s^d sum & that s^d Londonderry may not Rate s^d Petitioners 'til otherwise order'd by ye Genl Assembly. Sent up by Mr. Giddinge.

Whereas when soldiers are sent out for scouting & guarding ye Frontiers of ye Province from Places remote from Portsmouth it [p. 378.] occasions much charge to ye Province & many Inconveniencies for them to come to Portsm^n to receive their allowance & as many charges arise & sometimes Delays to ye scouts by transporting of Provisions,

Voted, That Coll. Peter Gilman supply such soldiers as shall be sent to scout or guard ye Frontiers of this Province except such as it shall be most convenient to take their supply at John Gage Esq^rs at Dover in ye following manner for one half year Viz^t That he have good Provisions of Pork of this Country Produce & Bisket & West India Rum ready to deliver out to ye soldiers as there shall be occasion such as it shall be convenient for to receive their allowance of Pork & Bread at Penny Cook & in Lieu of their allowance of Rum that they receive a penny & a half for each jill or their allowance of Rum at his House in Exeter & others to receive all their allowance at his house at Exeter and that he deliver to each man fourteen oz. of good Pork & fourteen oz. of good Bread & a full jill of Rum for each days allowance to each man (unless any of ye men shall choose to find themselves and appear suitably provided then to deliver to such in Lieu of their allowance ten Pence & a half for each man each Day to find themselves) and he be allow'd therefor one shilling for each Days allowance to each man whether ye men receive their allowance in Provisions or money & this to be in full satisfaction for all his [p. 379.] Trouble & cost about ye affair & that he receive out of ye Treasury one hundred & fifty Pounds enable him to make Provision & from Time to Time receive out of ye Treasury such sums as are needfull for carrying on ye affair and that he be accountable to ye Genl Assembly from Time to Time as they shall require and that John Gage Esq. supply at his House in Dover such soldiers as shall be sent to scout & guard ye Frontiers of this Province (That are convenient to receive their supply from him) for ye same Term in ye same manner as above and have ye same

allowance therefor & receive money out of ye Treasury & be accountable to ye Genl Assembly as above to receive sixty two Pounds ten shills at first to enable him to make Provision.

The House adjourn'd til to morrow 9 o'clock.

Saturday July 5th 1746.

The House met according to adjournment.

Mr. Secretary came into ye House & said he was directed by his Excellency to adjourn ye Genl Court til Monday next 12 o'clock & in his Majesties name declar'd ye Court adjourn'd accordingly.

[P. 380.] Monday July 7th 1746, P. M.

A Quorum of ye House met.

Order'd That James Clerkson Esq. go up to ye Council & enquire whether ye votes for Ratifying ye Transactions of ye late Convention & for Billetting soldiers at Dover & Exeter &c were pass'd upon or not.

Mr. Secretary bro't down ye vote of ye 4th Instant for ratifying the Transactions of ye late Convention &c. and said ye Council were of opinion that there ought to be some other Fund provided for calling in & sinking ye sum proposed to be emitted by s^d votes agreeable to ye usual Practice of this Province &

The House adjourn'd til to morrow 9 o'clock.

Tuesday July 8th 1746.

The House met according to adjournment.

The vote for ratifying ye Transactions of ye late Convention &c. was sent up again by Maj. Davis with this addition Viz^t or if ye sum repaid by his Majesty should fall short of ye sum expended that ye Genl Assembly on their next setting after that matter shall be known lay a Tax on ye Polls & Estates of the Inhabitants of this Province as shall be agreed upon bringing in & sinking what may be deficient.

Voted, That there be allow'd fifteen Pounds nine shillings and seven Pence in full for ye Must. Roll for men & Horses impress'd & sent to Canterbury under ye command of Sarg^t Joseph Rawlings to carry Provision for thirty men for a month under command of Sarg^t Beck sent June 3^d 1746 to be paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Mr. Sanborn.

[p. 381.] Voted, That there be allow'd John Sherburne three shill^{s} & nine Pence for his Horse Express to Kingstown to be p^{d} out of ye money in ye Treasury for Defence of ye Governm^{t}. Sent up by Mr. Sanborn.

Voted, That Mrs. Sarah Priest be allow'd four Pounds five shillings in full of her acc^{t} for ye use of her two Rooms for ye Council & Representatives to this Day to be p^{d} out of ye money in ye Treasury for ye Expence of ye Government. Sent up by Maj. Davis.

That Capt. Dudley Odlin & ye twenty two men under his command to Canterbury 3 Days to enquire after ye Great Gun alarm be allow'd Seventeen Pounds fifteen shills in full for his service afores'd to be p^{d} out of ye money in ye Treasury for Defence of ye Government. Sent up by Maj^{r} Davis.

Voted That there be allow'd twenty Pounds to Capt. Joseph Hanson & ye twenty five men under his command to Canterbury to enquire after ye Great Gun alarm to be p^{d} out of ye money in ye Treasury for Defence of ye Government. Sent up by Mr. Macmurphy.

Mr. Secretary came into ye House & said he was directed by his Excellency to inform ye House that ye Genl Assemblys appointing a comissary was invading the Prerogative &c for ye appointment of all officers civil & Military was solely in ye Power of ye Governour &c.

[p. 382.] Order'd That Mr. Sherburne & Mr. Sanborn go to his Excellency & inform him in answer to ye message by Mr. Secretary That ye House are of opinion that nothing will more obstruct ye enlistment of Voluntiers than ye Genl Assembly not appointing a Comissary & therefore pray'd that his Excellency would get over his objection.

The Hon^{r} Mr. Solly came down & said he was directed by his Excellency to demand of ye House whether ye House would withdraw their vote for Commissary.

Order'd That Mr. Giddinge & Capt. Gilman go to his Excellency & inform him that ye House are unanimously determined to adhere to their vote.

Voted, Capt. Jere^{h} Clough & ye nineteen men under his command in scouting on ye Borders of Winipissiokee Pond Pemigawasset River &c. be allow'd thirty seven Pound three shillings & one penny in full for s^{d} service to be p^{d} out of ye money in ye Treasury for Defence of ye Government. Sent up by Mr. Macmurphy.

The House adjourn'd for two Hours.

P. M.

The House met according to adjournment.

Voted, That Capt. John Gregg & ye nineteen men under his command scouting ye Woods from 3^{d} June to ye twelfth be allow'd nineteen Pounds four shill^{s} & one penny to be p^{d} out of y^{e}

money in ye Treasury for ye Defence of the Government. Sent up by Mr. Macmurphy.

[P. 383.] Voted, That there be allow'd nine Pounds twelve shill^s & nine Pence to Benjn Mathes & nine men under his command scouting 21 Days from ye 11th Jan^r Last & six Pounds one shilling to ye s^d Benj. & nine men or more scouting thirteen Days from 28th Feb^r last to be paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Coll. Wallingford.

Voted That Capt Saml Barr & eighteen men under his command be allowed eighteen pounds five & four Pence in full of their Muster Roll for scouting fifteen Dayes from ye 15th May last to be p^d out of ye money in ye Treasury for ye Defence of ye Government. Sent up by Coll Wallingford.

In answer to ye Message by Mr Russell Mr Secretary came down & said ye Vote for Ratification of ye Transactions of ye late Convention was concurrd by ye Council & assented by his Excellency and that ye Vote for Billetting soldiers was under consideration.

The Honor^ble Mr. Sheaf bro't Down ye vote for Billetting soldiers at Coll. Gilmans & Capt Gages & said it was not passed but that if ye House would cut off half ye time & half ye sum the Council would agree to it.

The House adjourned til morrow 9 o'clock.

The House met according to adjournment.

Voted That provided fifty good effective soldiers including [P. 384.] officers will inlist themselves in his Majesties service by or before ye twentieth of this Instant for any Time not exceeding three months under such proper officers as shall be appointed by his Excellency or if fifty should not offer themselves then any number between thirty & fifty to go in Pursuit of our Indian enemies making Capt Clough's Fort at Canterbury their Head Quarters to retire to from Time to Time to receive their Provisions at Penny Cook to range ye Wood between ye Rivers of Merrimack Newechawanick & about Winepessiockee Pond & Places adjacent thereto That they be upon constant Duty in ye Woods except convenient Time to take Provisions and ye leading officer & officers that shall lead s^d men or any Party thereof keep and render a Journal of every Days march to ye Genl Assembly upon oath that then ye Capt of s^d Company be allow'd as his Wages fifty shills. Lieut. forty shills. & two Sargents each thirty two shills. pr month & centinels each twenty five shills pr month & Provisions & ammunition found them & for further encouragement as a Bounty that they be allow'd for each male Indian they shall kill within s^d Term of Time (of any of ye Tribes of Indians that war has been declar'd against by this Government) upward of twelve year old & scalp produced thirty seven Pounds ten

shillings & Captives thirty nine Pounds five shills provided no Payment be made as afores^{d} for killing or captivating any Indians as afores^{d} until Proof be made to ye acceptance of ye Governour [p. 385.] & Council. Sent up by Capt. Gilman.

The House adjourned for two Hours.

P. M. — 1746.

The House met according to adjournment.

For ye better Defence of ye Frontiers & ye Further Encouragement of Volunteers to go out in Pursuit of ye Indian enemy,

Voted That there be paid out of ye publick Treasury to any Company Party or Person of his Majestys subjects Inhabitants within this Province who shall voluntarily & at their or his own proper cost & charge go out in Quest of & kill a male Indian of ye age of twelve years or upwards of any of ye Tribes which his Excellency has declared War against or any of their confederates or such others as may be found with them at any Time within two months from ye Date hereof & produce ye scalp to ye Genl Assembly with proper evidence of his Death ye sum of two Hundred Pounds in Bills of cred^{t} on this Province & ye sum of two Hundred & five Pounds for any Male Indian of s^{d} Tribes of like age who shall be taken captive & delivered to ye order of ye Capt General to be at ye Disposal of & for ye use of ye Government provided always that this vote is not to extend to any Persons in Pay of or out in any encouragement given by ye Province of ye Massachusetts Bay. Sent up by Capt. Leavit.

Voted That Mr Danl Peirce Gent^{n} be Recorder of Deeds & conveyances of Land for this Province for one year from ye third [p. 386.] Day of this Instant July & until ye third Day of ye next setting of ye Genl Assembly after ye expiration of ye said Term & that he shall not be qualified to act as Recorder until he has given Bond with sufficient sureties to ye Speaker of ye House of Representatives for ye Time being in ye sum of two Thousand Pound & taken an oath for ye faithful Discharge of ye s^{d} office & y^{t} ye Fee for recording shall be six Pence a Page each Page to consist of twenty eight lines eight Words to a Line & three Pence for ye attestation thereon of its being compar'd with the Book and that Coll Henry Sherburne Rich'd Wibird Maj^{r} Ebez. Stevens Eleazer Russell & Thos Bell Esq be a committee they or the Maj^{r} Part of them to take ye Books & Papers belonging to ye s^{d} office of Recorder into their custody in case of ye Death or Incapacity of ye s^{d} Recorder or the expiration of ye Term above mention'd & them safely keep until further order of ye Genl Assembly—And it is further Voted y^{t} s^{d} Committee or the Maj^{r} Part of them take a List of all ye Books now belonging to ye s^{d} office & a Receit for ye same from ye s^{d} Recorder & that they be under oath for ye faithful discharge of their Trust & y^{t} a Duplicate of ye s^{d} Receit be lodg'd in ye Secretary's office.

Mr. Secretary bro't down a written message from his Excel-

lency recommending to ye consideration of ye House ye Depretiating of the currency of ye Province & a just & equitable allowance therefor &c — as on file.

Also ye Vote of ye House of this Day for fifty Voluntiers or any number between thirty & fifty to go in Pursuit of our Indian enemies making Capt Clough's Fort at Canterbury their Head [p. 387.] Quarters &c, with this vote upon it vizt.

In Council July 9th 1746. The Written Vote read and concurr'd with this amendment vizt That ye centinels in ye s^d vote mention'd be allow'd thirty shills. pr month instead of twenty five.

Theod^r Atkinson, Sec^y.

And then ye House voted that ye above vote of ye Council be concurr'd with ye following amendment vizt That ye officers mention'd in s^d vote have each of them an addition of five shillings pr month to their wages.

The House adjourn'd til to morrow 9 o'clock.

Thursday July 10th 1746.

The House met according to adjournment.

Mr. Secretary Bro't Down an extract of Admiral Warren & Gov. Sherley's Letter dated Boston July 4th 1746 recommending a 20 Gun Ship & another vessel (1).

Mr. Secretary also put ye House in mind y^t his year was up & ask'd for an allowance for past services &c.

Mr. Secretary came down & said ye Governour & Council desir'd ye Time for inlisting ye men for ye expedition against Canada might be lengthened or else when ye Time Limited for enlisting was out the Massachusetts officers might come into this Government and inlist our men.

A List of ye Voluntiers in ye first Imbarkation on the Expedition against Louisbourg being bro't into ye House,

[p. 388.] Voted, That there be paid out of ye money in ye publick Treasury for ye use of ye Expedition against Louisbourg to each man whose name is in s^d List to his wife, widow or legal Representative ye sum of one Pound five shillings as a farther Bounty or Reward for their great & faithful service on s^d Expedition— That Servants & Sons under age or Their Heirs have ye said Bounty for their own use, that each of said voluntiers have his knapsack Hatchet & Catooch Box given him or where he has paid for it have seven shillings & six Pence allow'd & paid to him out of s^d money in Lieu thereof & where any Person is charg'd with

(1) See "Journal of General Assembly," same date.—Ed.

those things that never had them ye money be return'd. Sent up by Capt Leavit.

The House adjourn'd for two Hours.

Post Meridiem 1746.

The House met according to adjournment.

Whereas since ye last Proportion of ye Province Tax was made his Excellency ye Governour with ye advice of his Majesties Council has been pleas'd to incorporate several Towns out of ye Districts so that in order Justice may be done it is necessary that Lists be forthwith taken of ye Polls & Estates of ye Inhabitants of ye said Towns as also ye District of Methuen & Dracut. It is therefore

Voted, That ye select men of each of ye said Towns so incorporated which are as follows Viz^t Dracut Nottingham West Litchfield Dunstable Merrimack Hollis Monson as also ye select men of the District of Methuen & Dracut be & hereby are directed to appoint some suitable Person in each of s^d Towns & in s^d District to take true Lists of ye Polls & Estates of ye Free Holders & Inhabitants of s^d Towns & Districts in taking which they are to pursue ye same method that was taken in taking ye Lists of ye Estates of this Province when ye last Proportion was made & that they present their List to ye General Assembly upon Oath by ye tenth Day of August next if ye Court be then setting if not ye first Day of ye setting of ye Genl Assembly after that time in order that they may be assess'd their equal Proportion to ye Province Tax. Sent up by Mr. McMurphy.

A Bill for reviving an Act pass'd in ye fifteenth year of his Majes^y Reign for incorporating certain Districts within this Province & one other act investing ye Inhabitants of said Districts with ye Powers & Privileges of Towns read Three Times.

Voted, That it pass to be enacted. Sent up by Mr. McMurphy.

The House adjourn'd til to morrow 9 o'clock.

Fryday July 11th 1746.

The House met according to adjournment.

Voted, That ye Hon^r Theod^r Atkinson Esq. be allow'd fifty Pounds for his common service as Secretary for ye year 1745 & twenty five Pounds for his Extraordinary services as Secretary in s^d year up to ye 25th of March last past to be p^d out of ye money in publick Treasury. Sent up by Maj. Davis.

Voted, That Thos Packer Esqr be allow'd fifteen Pounds in full for his service as sheriff to the twenty fifth of March last being for three years to be p^d out of ye money in the publick Treasury. Sent up by Mr. Sanborn.

[p. 390.] Voted, That Thos Packer Esq. be allow'd fifteen

Pounds in full for House Rent Wood & Candles up to ye 25th. March last past to be paid out of ye money in ye publick Treasury. Sent up by Mr. Sanborn.

The House adjourn'd for two Hours.

Post Meridiem, 1746.

The House met according to adjournment.

Voted, That Coll. Peter Gilman & Mr. Henry Sherburne Jun be a committee of ye House to receive & settle ye Muster Rolls of ye Soldiers return'd from ye late Expedition against Louisbourg.

A Bill for an Act for regulating of appeals from any Inferiour to a Superiour Judicatory read three Times.

Voted, That it pass to be enacted for two months & no longer.

The House adjourn'd til to morrow 9 o'clock.

Saturday July 12th 1746.

The House met according to adjournment.

It was proposed y^t ye immediat[illegible] foregoing vote should be reconsidered & after much Debate thereon had it was

Voted, That said Act should continue & be in force for one year & no longer. Sent up by John Sandburn Esq.

Coll. Wallingford pray'd Leave to enter his Dissent & accordingly did Dissent.

Mr. Secretary Return'd ye foregoing Bill to ye House for their further consideration.

Voted, That Mr. Saml Penhallow be a Commissary to go with ye Voluntiers to be raised in this Province for ye Expedition against [p. 391.] Canada & take care of their Provisions stores &c. & deliver them out agreeable to ye votes of the Genl Assembly & Instructions to be given him by ye committee of Warr that he be allow'd ten Pounds pr month for his wages & have one or two men as occasion may require allow'd as assistants in Soldiers Pay & his & their allowance of Provisions & Liquors without any other Perquisite from ye Stores & Provisions which may be sent by order of ye Government that he be under Oath to ye faithful Discharge of his office that he be accountable to ye Genl Assembly & render account of all his Proceedings from Time to time. Sent up by Capt Gilman.

Mr. Secretary came Down & said ye vote appointing Mr. Penhallow Commissary was concurr'd by ye Council & assented by his Excellency.

A Bill for granting to his most Excellent Majesty ye sum of sixty Thousand Pounds for & towards defraying ye Expence of the Expedition against Canada, read three times.

Voted, That it pass to be enacted. Sent up by John Gage & John Macmurphy Esqs & Capt. Israel Gilman.

Voted, That Mr. Danl Pierce be allow'd thirty eight shillings in

full for a Book of Prov. Records Viz^{t} ye Book No. 31 to be p^{d} out of ye money in ye publick Treasury. Sent up by Jo^{n} Macmurphy Esq.

Mr. Secretary came into ye House & said he was Directed by his Excellency to inform ye House y^{t} it was his Pleasure that ye Genl Court should be adjourn'd til Monday 28th July 12 o'clock & then in his Majesties Name declar'd ye Court adjourn'd to said Time.

[P. 392.] Monday July 28th 1746, 3 o'clock, P. M.

A Quorum of the House met.

Mr. Secretary bro't down his Excellency's speech which is on File & after receiving &c. sundry muster Rolls &c the House adjourn'd til to morrow 9 o'clock.

Tuesday July 29th 1746 A. M.

The House met according to adjournment.

Voted, That there be allow'd three months pay for each man in ye service & pay of this Province at Louisbourg & y^{t} Died there last Winter provided ye three months do not exceed ye expiration of ye muster Rolls & that ye Muster Rolls be made up accordingly. Sent up by Mr. Giddinge.

Upon complaint being made to ye House by Coll. Peter Gilman y^{t} John Light of Exeter Gent^{n} had utter'd several reproachful speeches of ye committee for ye Muster Rolls & s^{d} Light being admitted into ye House to sware to his Muster Rolls was interrogated concerning ye Premises & being order'd to withdraw ye House resolved that s^{d} speeches were a Reflection upon ye House & then s^{d} Light being called in again & upon his confession & promise of Reformation ye House excused & Dismissed him.

Voted, That ye Muster Roll of Capt. Danl Macgregore in ye Reinforcement for ye Garrison of Louisbourg to ye 1st of Octo^{r} 1745 be allow'd & ye Ball^{e} amounting to 4: 8: 1 be paid out of ye money in ye Treasury for ye Expedition against Louisbourg ye money to be p^{d} to ye men to whom it is Due their wives widows or legal Representatives.

The House adjourn'd til 3 o'clock. Sent pr Mr. Jennes.

Post Meridiem 1746.

The House met according to adjournment.

Voted That ye muster Roll of Capt Jo^{s} Sherburne in ye Garrison at Louisbourg from ye 1st Octo^{r} 1745 to ye 20th June 1746 amounting to 419: 12: 9 ye money to be paid to ye men to whom [P. 393.] it is due, their wives, widows or legal Representatives

out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Jennes.

Whereas there was a vote pass'd this House of ye 25th May last past for an allowance of eleven Pounds to Benj. Acreman for his service as doorkeeper to ye 25th of March last past now if said vote did not pass ye Genl Assembly as is supposed, it is again

Voted That ye said Benjamin be allowed eleven Pounds for his s^d service as aforesaid. Sent up by Mr. Sanborn.

Whereas this House at ye motion of Capt John Tufton Mason have for sometime had an agreement made between the s^d Mason & John Thomlinson Esqr &c. concerning ye Purchasing ye Right which said Mason claims to ye Province under consideration, Resolved That ye s^d agreement be forthwith complyed with on ye Part of this Government & that ye Right which s^d Mason claims be purchas'd for ye Benefit of ye Inhabitants of this Province That according to s^d agreement ye s^d Inhabitants be quieted in their settlements agreeable to ye Grants of this Government & ye Wast Lands be granted out by ye Genl Assembly to ye Inhabitants of said Province as they shall think proper. Sent up by Mr. Sanborn.

The House adjourn'd til tomorrow 9 o'clock.

Wednesday July 30th 1746, A. M.

The House met according to adjournment.

Agreeable to a Resolve of this House of yesterday,

Voted That John Gage Esq. & Mr. Meshech Weare be a committee of this House to join such as may be appointed by the [P. 394.] Hon^l Council to treat with Capt John Tufton Mason about fullfilling his agreement made with Mr. Thomlinson about conveying ye Right s^d Mason claims to this Province to ye Inhabitants & to draw up proper Instruments in order therefor & immediately lay them before ye General Assembly (1). Sent up by Mr. Sanborn.

Mr. Zeb Giddinge & Capt Israel Gilman beg'd Leave to enter their Dissent to ye vote & ye Resolve immediately foregoing & accordingly did Dissent.

Voted That ye Muster Roll of a company under ye command of Capt George Meservey in ye Reinforcement for ye Garrison of Louisbourg to ye 1st of October 1745, be allow'd the money to be paid to ye men to whom it is Due their wives, widows or Legal Representatives out of ye money in ye publick Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Weare.

D. Pierce who is appointed Recorder gave his bond this Day to ye speaker of ye House for ye Time being & took an oath for y^e

(1) See "Journal of General Assembly"—same date.—ED.

faithfull Discharge of his s^d office agreeable to votes of ye Genl Assembly.

Ordered That Mr. Sanborn & Mr. Gage wait on his Excellency & desire to know whether he knew how many men were inlisted for ye Expedition against Canada.

The s^d Gentlemen return'd that his Excellency did not know how many men were inlisted for s^d service but that he would next week require ye number to be given in.

The House adjourn'd for two Hours.

[P. 395.] Post Meridiem, 1746.

The House met according to adjournment.

Voted That ye Muster Roll of a company under ye Command of Capt Nathl Fellows in ye Garrison of Louisbourg from 1st of Octo^r 1745 to ye 20th of June 1746 amounting to £498: 18: 1 1-4 ye money to be paid to ye men to whom is due their wives, widows or legal Representatives out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Weare.

The House adjourn'd 'til tomorrow 9 o'clock.

Thursday July 31st 1746, A. M.

The House met according to adjournment.

The Hon^l Messrs Atkinsons, Solly & Sheaf came down to ye House & said they were directed by ye Council to inform ye House that they had no material objection against ye Resolve of the House of ye 29th Instant & ye vote of ye 30th Instant in consequence thereof except ye last paragraph of ye Resolve Viz^t. & that the Wast Lands be granted out by ye Genl Assembly to ye Inhabitants of s^d Province as they shall think proper—for that they tho't s^d Paragraph was inconsistent with ye Constitution & contrary to his Majesties Commission & Instructions to his Excellency Nevertheless if ye House proposes to purchase of Capt. Mason & afterwards address his Majesty for Leave to dispose of s^d Lands to ye People in that manner they were content.

The Hon^l Mr. Wibird bro't into ye House Governour Shirley's Letter of ye 29th Instant & said his Excellency desired said Letter might be returned y^t he might answer it to morrow &c.

The House adjourn'd for two Hours.

Post Meridiem 1746.

The House met according to adjournment.

Voted That there be allow'd fifty Seven Pounds two shillings to Doc^r Nathl Sargent Junr in full for his service &c in the Expedition against Louisbourg (deducting what has already been p^d

him) to be p^d out of ye money in ye publick Treasury for ye use of ye Expedition against Louisbourg.

[P. 398.] Voted, That ye Ballance of Doc^r Joseph Peirce's account amounting to one hundred & sixty five Pounds five shillings & four pence be allow'd & paid out of ye money in ye Treasury for ye use of ye Expedition ag^t Louisbourg that it be in full of his service as surgeon Genl to N. Hampsh Regiment including ye 150 men in ye Pay of ye Province of ye Massa^ts Bay & that ye Treasurer charge ye Massachusetts with their Proportion of this & ye other Doc^r Bills & whereas it is Represented to this House that ye s^d Doc^r Peirce has Petition'd ye s^d Prov^e of ye Massachusets Bay for Pay for his care of ye 150 men above mention'd & that ye Gen'l Court of s^d Prov^e have had or still have s^d Petition under consideration, it is farther Voted that before said sum be paid unto s^d Doc^r Peirce he give security to ye Treasurer for ye Time being to repay any sum which has been or may be allow'd him by ye s^d Province of ye Massachusets for his care of ye said one Hundred fifty men. Sent up by Mr. Sanburn.

Voted In anwer to Doc^r Gilmans Petition for consideration of his being wounded at Louisbourg that he be allow'd five Pounds in full therefor to be paid out of ye money in the Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Weare.

Voted That Doc^r James Wood be allow'd five Pounds in full for his extra^y Service at Louisbourg in answer to his Petition to be p^d out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Weare.

The House adjourn'd 'til tomorrow 9 o'clock.

[P. 399.] Fryday Aug^st 1st 1746, A. M.

The House met according to adjournment.

Voted That Col Pet^r Gilman, John Gage Esq. Mr. Henry Sherburne Junr & Mr. Meshech Weare be a Committee of this House to join such as may be appointed by ye Hon^l Council to consult on ye properest & best method for ye Prov^e to proceed in concerning Capt Mason's Claims to this Province & make immediate Report to ye Genl Assembly. Sent up by Capt Gilman.

Whereas ye Vote of ye Genl Assembly establishing a Rule for all Judges, Justices & other officers within this Province to be Govern'd by in taking Fees, Fines & Forfeitures as by Law established before ye year 1740 expired ye first of Jany last past & for as much as it is necessary to prevent any Disputes & that all Persons as well officers as others may know what Fees &c are to be paid,

Resolved That one shill^g of ye Lawful money of this Province lately emitted shall be rec'd in Payment for two shills of any

Fees, Fines or forfeitures by Law establish'd before ye yeare 1740 & so in proportion for a greater or Lesser sum and all officers civil & military are hereby respectively to govern themselves accordingly in all cases except where any Fees, Fines & Forfeitures are established by acts of Parliament or by Act of this Government relating to ye better Preservation of his Maj^s^ woods and this Resolve to continue & be in Force for one year unless otherwise order'd by ye Genl Assembly. Sent up by Mr. Sandburn.

Voted, That Coll. Peter Gilman & Mr. Henry Sherburne jun^r^ be a Committee of this House to join such as may be appointed by [P. 400.] ye Hon. Council to receive examine & settle ye Muster Rolls of ye soldiers return'd from ye late Expedition against Louisbourg agreeable to ye votes of ye Genl Assembly & as they make up & settle them to certify ye same under their Hands or ye Major Part of them and upon ye sight of such certificates ye Treasurer is hereby authorized to pay them out of ye money in the Treasury for ye use of s^d^ Expedition and that ye Committee make up Doc^r^ Ja^s^ Wood in ye Muster Roll to ye Time of his Discharge at five Pounds pr month. Sent up by Mr. Weare.

Mr. Secretary came down & s^d^ ye vote for a Committee about Capt Masons affair was concurr'd by ye Council & assented by ye Governour & that ye Hon. Jotham Odiorne Sam^ll^ Sheafe Saml Solly Saml Smith Esqrs. were ye Com^ee^ of Council to join in s^d^ affair & that they are ready to go upon it.

Mr. Secretary also bro't Down ye Resolve about Fees &c. sent up this forenoon & said ye Council Objected.

1st That ye clause for officers responding should be taken out for Reason he gave.

2^d^ That ye Limited time was too long that ye Council tho't one year would be long enough.

Voted, That s^d^ alterations be made in ye s^d^ resolve which being done s^d^ Resolve was sent up again.

The House adjourn'd for two hours.

Post Meredicm 1746.

The House met according to adjournment.

The Committee appointed this morning to consult on ye properest & best method for ye Prov^e^ to proceed in concerning Mason's Claim to this Province &c report as follows viz.

[P. 401.] Pursuant to ye afores^d^ vote we have met & consulted on ye subject matters thereof & do Report y^t^ for ye quieting of ye Good People of this Prov^e^ & to prevent future Difficulties & Disputes it will be best for this Prov^e^ to purchase ye s^d^ claim for ye use & Benefit of ye Inhabitants of this Province if ye late Purchasers will sell it for ye same sum they gave for it & charges.

The afores^d^ Report being read,

Voted, That it be accepted & sent up for Concurrence. Sent up by Capt. Leavit.

The House adjourn'd til to morrow 9 o'clock.

Saturday Augt 2^{d} 1746, A. M.

The House met according to adjournment.

Eleaz^{r} Russell Esqr bro't into ye House Edwd Hopkins's Rec^{ts} for ye 7 : 10 : 0 which was allow'd s^{d} Hopkins pr ye Genl Court & order'd into Mr. Russells Hands to be deliv^{d} as need requir'd. Mr. Secretary came down to ye House & said y^{t} ye vote for accepting ye Report of ye Committee on Capt. Mason's affair was concurr'd by ye Council & assented by his Excellency.

Pursuant to ye Report of ye Committee of both Houses of ye first Instant appointed to consult on ye properest & best methods for ye Prov^{e} to proceed in concerning Capt Mason's Claims,

Voted, That Col. Peter Gilman John Gage Esq. Mr. Henry Sherburne Junr & Mr. Mesh Weare be a Comm^{ee} of this House to join such as may be appointed by ye Hon^{r} Council to treat with ye Claimers & if they will sell on ye terms mention'd in s^{d} Report & conclude a Bargain with them agreeable to s^{d} Report & take advice of Gent^{n} Lear'd in ye Law about proper Instruments to be drawn & executed by ye s^{d} Claimers & get them prepar'd & [P. 402.] ready to lay before the Genl Assembly at their next meeting & at ye same time make Report of all their Doings. Sent up by Mess^{s} Bell & Capt. Gilman.

Mr. Secretary came down & said ye Councill desir'd to know if there was any thing likely to come this forenoon to which ye Speaker answer'd there was nothing. Then Mr. Secretary said he was directed by his Excellency to adjourne ye Genl Court, 'til Monday ye 11th Instant at twelve o'clock.

Monday August 11th 1746, P. M.

The House met but not til 3 o'clock afternoon.

The Petition of Steph^{n} Ames of Holles in behalf of himself & sundry other of ye Inhabitants of ye s^{d} Town of Holles Representing a Number of s^{d} Inhabitants being about to raise a Meeting House on Wednesday next in an inconvenient Place & praying that a Committee may be appointed to enquire ye Premises & ye Raising of ye s^{d} meeting [house] might be deferr'd til a Committee for that end shall be appointed & after Debate thereon,

Voted, That the aforesaid Petition be dismiss'd.

The House adjourn'd til to morrow 9 o'clock.

Tuesday Augt 12th 1746, A. M.

The House met according to adjournment.

This forenoon has been spent in considering many of ye Peti-

tions of ye Voluntiers in ye Expedition against Louisbourg & in making allowances accordingly.

The House adjourn'd for two Hours.

[P. 403] Post Meredicm, 1746.

The House met according to adjournment.

Mr. Sherriff Packers came into House & inform'd that ye Goal of this Province was in a Weak Condition & much impair'd lately by a Number of Capt Farrich's Sailors that were committed by s^d Farrish as well as by a Justice of ye Peace.

Voted, That Maj^r Thos Davis be allow'd eight Pounds fifteen shillings in full for his Doc^r Bills &c. when wounded in his Right Hand in his Maj^s service in May 1744 to be p^d out of ye money in ye Treasury for ye Defence of ye Govern^t. Sent up by Capt Bell.

Voted, That Doc^r Ab^m Green be allow'd four Pounds two shills & 2*d* in full of his account for sundry medicines & attendance to Hezekiah Young, David Wood & sundry other Voluntiers in ye Expedition against Louisbourg to be p^d out of ye money in ye Publick Treasury for ye use of ye Expedition aboves^d. Sent up by Capt Gilman.

Whereas ye following Persons Voluntiers in ye late Expedition against Louisbourg have petitioned ye Genl Court for some allowances in Consideration of their Losses sickness &c. suffer'd in s^d Expedition as represented in their respective Petitions on File,

Voted, That there be allow'd to said Persons ye sums as carried off to each man's name following Viz.—

To Phillip Jonson Greenland . . .	£2: 10: 0
John Hicks, Do	2: 10
Saml Keniston Do	1: 15
Weymouth Ham Portsm^o	2: 5: 6
Tim^o Cotton Do	1: 14
Jo^n Alcock Do	18
Joseph Ham Do	14: 9
Saml Frost Do	8
[P. 404.] Leader Nelson Do	1: 9: 6
Shadrach Weymouth Do	1: 3: 7 1–2
Hugh Montgomery Do	15
George Tomson Do	8
Ezek^l Pitman Do	2
Shubul Dearborn, Ham^n	3
Joseph Redman Do	2: 10
John Sleeper Do	1: 5
Joseph Rawlins Exeter	1: 10
Joshua Jackson Ports^o	1: 10
Saml Edgerly Exeter	6
Tabitha Cass Kensing^n	5
Jona^n Partridge Ports^o	3: 2: 6
Nich^s Dunn's Widow Do	15

Fra^{s} Mason Stratham	£2:	10	
Moses Leavit's Widow Ham^{n}	7		
Josiah Shaw Do	3		
Nathl Moulton Do		10	
Danl Doe Durham	2:	10	
Eleaz^{r} Bickford Do	2		
Saml Blake Kensing^{n}	2:	10	
Abr^{m} Morgan Strat^{m}	1		
Lewis Tuckers Widow N. Cast^{l}	3		
Richd York Exeter	5		
Hen^{y} Triffethens Widow N. Cast^{l}	3		
Chris^{r} Huntress Newing^{n}	2:		6
Maj^{r} Ez^{l} Gilman Exeter	5		
Micha^{l} Whidden Ports^{o}	2		
David Decker Do	3:	7:	6
Israel Hodgsdon Newing^{n}	2:	10:	0
George Dam New^{n}	1:	5	
George Huntress Ports^{o}		15	
Henry Sleeper Do	1:	17:	6
Mich^{l} Martyn Do	2:	5	
Zach Foss Do	5		
Benj Kimming of Exeter for sickness & Gun	4:	10	
Jer^{h} Marston Widow, Ham^{n}	3		
John Thomas Widow, Kittery	2		
Benj Thomas Hamp^{n} instead of a Pension for his arms being wounded on ye Exped^{n} against Louisbourg & to have no other allow^{e} for the future	20		
Joseph Lamson Ex^{r} in full for Doc^{r} Bills &c	3:	3	
Theod^{r} Atkinson Esq for Jo^{n} Glousters Gun	3		
Wm Present of Epping in full for ye loss of his Legg at Louisbourg & to have no future allowance	30		
Willm Fullerton Brent^{d} in ful for Nursing, Doc^{r} &c	6:	5	
Capt Jo^{n} Ladd, Kingston for Expence of ye sickness & Funeral of his son Doc^{r} Jonth Ladd return'd sick from Louisbourg	5		
Thos Card N Castle	2:	10	
Solo^{n} Pinkham Do in ful for his Petition	2:	10	
Spencer Coleby	5		

[p. 405.] Voted, That there be allow'd three Pounds thirteen shills & three Pence to Doc^{r} John Weeks in full for his account for sundry medicines & attendance for Saml Keniston jun^{r} Phill Johnson & John Hicks Volunteers in ye Expedition against Louisbourg to be paid out of ye money in the Treasury for use of s^{d} Expedition. Sent up by Capt Gilman.

The House adjourn'd til to morrow 9 o'clock.

Wednesday Augt 13th 1746, A. M.

The House met according to adjournment.

Voted, That there be allow'd Caleb Sanborn in answer to his Petition for his apprentice Jas Lowell a Voluntier in garrisoning Louisbourg forty shills in full to be p^{d} out of ye money in ye Treasury for that end. Sent up by Mr. Sanborn.

Whereas ye High Sherriff has Represented to this House that ye Province Prison has been lately considerably weaken'd by Prisoners that have been it & that some Repairs are needful to be made speedily to make it capable to secure Prisoners,

Voted, That Eleazer Russell Esq. & Mr. Meshech Weare be a committee of this House to join such as may be appointed by ye Hon^{l} Council to view ye Prison & see what Repairs are needful & get them done as soon as may be. Sent up by Mr. Sanborn.

Voted That ye following be sent to his Excellency in answer to his message of yesterday.

May it please your Excelly.

[P. 406.] In answer to your Excellencys message for Lengthning the time for inlisting men ye House have determined to adhere to their Resolves that are already pass'd as to ye Time for inlisting men & considering ye present situation of ye affair cannot Lengthen ye Time & pray your Excellency would not encourage ye inlisting any more.

The Hon^{l} R. Wibird Esq came into ye House & said he was directed by his Excellency to adjourn ye Genl Court til Tuesday 19th Instant & then in his Majest^{ys} name declar'd ye House adjourn'd accordingly.

Tuesday Augt 19th 1746, P. M.

A Quorum of ye House did not meet it being very stormy—The Hon^{le} R. Wibird Esq. at or about five o'clock came down to ye House & said he was sent by his Excellency to adjourn ye Genl Assembly til tomorrow 10 o'clock.

Wednesday August 20th 1746, A. M.

The House met according to adjournment.

Whereas Mr. Edwd Brooks a Voluntier in ye Expedition against Louisbourg was paid off only as a Lieu^{t} of Foot when he ought to have had pay as Lieu^{t} of a Vessell of Force it is therefore

Voted That ye s^{d} Edward be allow'd three Pounds twelve shillings to make his Wages equal to a Lieu^{t} of a Vessel of Force to be p^{d} out of ye money in ye publick Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Sanborn.

The House adjourn'd for two Hours.

Post Merediem 1746.

The House met according to adjournment.

Voted that ye committee for muster Rolls make up George Creightons wages at five Pound old Ten^r pr month he having Petition'd for some allowance &c.

The House adjourn'd til tomorow 9 o'clock.

[p. 407.] Thursday Augt 21st 1746, A. M.

The House met according to adjournment.

The Petition of Danl Bean a Voluntier in ye Reinforcement of ye Garrison at Cape Britton Representing his returning & continuing Sick under ye care of Doct^r &c praying some allowance &c.

Voted That ye said Daniel be allow'd three Pounds ten shillings in full for his Petition & Doc^r Bills to be p^d out of ye money in ye publick Treasury of ye use of ye Expedition &c. against Louisbourg. Sent up by Rich Jennes Esq.

The House adjourn'd for two Hours.

Post Meridiem 1746.

The House met according to adjournment.

Upon a motion made by one of ye members & seconded by sundry others for reconsidering ye vote of Last night for George Creightons allowance ye question was put whether s^d vote should be reconsider'd yea or nay & pass'd in ye affirmative & then,

Voted That ye s^d George in answer to his Petition be allow'd twenty five shillings pr month in full for ye last nine months & eleven Days of his being at Louisbourg to be paid out of ye money in ye publick Treasury for ye use of ye Expedition &c against Louisbourg. Sent up by Mr. Giddings.

Voted That ye two men y^t Coll Moore inlisted at Louisbourg, Viz^t Willm Rand jun^r & John Barker be allow'd what they had there of ye two commissarys Viz^t £ 15 : 14 to ye s^d Barker in full & £13 : 17 : 8 1-2 in full to Rand ye money to be pd out of ye money in ye publick Treasury for ye use of ye Expedition &c ag^t Louisbourg, Provided nevertheless that this vote be never pled as a Precedent for any officer inlisting men for ye future contrary to ye orders of ye Genl Assembly. Sent up by Mr. Macmurphy.

The House adjourn'd til tomorrow 9 o'clock.

[p. 408.] Fryday Augt 22^d 1746, A. M.

The House met according to adjournment.

Voted That ye muster Roll of twenty three men under command of Capt Andrew Todd, Scouting at Canterbury fourteen

Days from ye 14th July 1746 amounting to nineteen Pounds fourteen shillings be allow'd & p^d out of ye money in ye publick Treasury for Defence of ye Government. Sent up by Maj^r Davis.

Voted That ye Muster Roll of Capt Moses Barnett & twenty three men under his command scouting at Canterbury fourteen Days from ye 4th July 1746 amounting to nineteen Pounds fourteen shillings be allow'd & p^d out of ye money in the publick Treasury for Defence of ye Government. Sent up by Maj^r Davis.

Voted That ye Muster Roll of Sarg^t James Young & fourteen men under his command scouting at Nottingham fifteen days from ye 4th July 1746 amounting to twelve Pounds nine shills & 10*d* be allow'd & p^d out of ye money in ye publick Treasury for Defence of ye Government. Sent up by Maj^r Davis.

Voted That ye muster Roll of Sergt. Benj. Philbrick & fourteen men under his command scouting at Nottingham fifteen Days from 30th June 1746 amounting to twelve Pounds sixteen shillings & three Pence be allow'd & pd out of the money in ye Publick Treasury for Defence of ye Government. Sent up by Maj^r Davis.

Voted That ye muster Roll of John Tomson & eleven men under his command scouting at Barrington twenty eight Days from 31st May 1746 amounting to eighteen Pounds seven shill^s be allow'd & p^d out of ye money in ye publick Treasury for ye Defence of ye Government. Sent up by Capt Leavit.

[p. 409.] Voted That ye muster Roll of John Tomson & twenty men under his command scouting at Barrington & Rochester &c twenty eight Days from 31st July 1746 amounting to thirty one Pounds sixteen shill^s & four Pence be allow'd & paid out of ye money in ye publick Treasury for Defence of ye Government. Sent up by Capt. Leavit.

Voted That ye muster Roll of Capt Benj^a Mason & thirty volunteers under his command scouting at Rochester fourteen Days from ye 7th July 1746, amounting to twenty one Pounds five shillings & 8*d* be allow'd & paid out of ye money in ye publick Treasury for Defence of the Government. Sent up by Capt Leavit.

Mr. Secretary bro't down to ye House sundry Queries proposed by Gov. Shirley & Adm^l Warren at Boston to Coll Atkinson & Coll Stoddard relating ye intended Expedition against Canada &c & their answers to said Queries. Mr. Secretary also said his Excellency desir'd provision might be made for billeting ye Voluntiers inlisted in his Majesties Service for ye s^d Expedition — and added that ye Massachusetts Government had allow'd their Voluntiers for s^d Expedition twenty shills pr week for those that stay'd at Home & thirty shills. per week for those that are order'd upon Duty from ye time of their being so order'd.

The House adjourn'd for two Hours.

[P. 410.] Post Meredicm 1746.

The House met according to adjournment.

The Petition of William French Thos Wiggin Jon^a Dearborn & many other Freeholders & Inhabitants of ye Town of Stratham representing their having for some years past been under very difficult circumstances both as to their church & Town affairs occasion'd by ye unhappy & unscriptural Seperation of ye Major Parte of ye principal members of the church &c and praying for Redress in such Way as shall seem most for ye Glory of God & real Welfare of ye Town &c. being read & after much Debate thereon had it was put whether the Petitioners should have a Day of Hearing appointed or not.

Voted, In ye affirmative and then Order'd That ye Petitioners be heard on their Petition on ye second Day of ye setting of ye Genl Assembly after ye fifteenth Day of Sepr next at ten o'clock A. M., and that ye Petitioners at their own cost serve ye select men of said Stratham with a copy of s^d Petition & their order of Court that they may shew cause if any they have why ye Prayer of ye Petition should not be granted. Sent up by Mr. Macmurphy.

The Petition of Caleb Kimball & John Kimball representing their rated both by Kensington & Hampton &c. & praying relief for ye Reasons therein mention'd,

Order'd That ye Petitioners be heard on their Petitions the third Day of ye setting of ye Genl Assembly after ye fifteenth Day of Sepr next at ten o'clock A. M. & that ye Petitioners at their own cost serve ye Select men of Kensington with a copy of their Petition & this order of Court that they may shew cause if any they have why ye Prayer of ye Petition should not be granted. Sent up by Mr. Macmurphy.

The House adjourn'd till to morrow 9 o'clock.

[P. 411.] Saturday Augt 23^d 1746.

The House met according to adjournment.

The Petition of Geo. Thomson praying an allowance for his Fire Lock &c. lost on ye attack of ye Island Battery at Cape Briton for Reasons therein mention'd being read,

Voted, That ye s^d George be allow'd thirty five shillings in full to be paid out of ye money in ye publick Treasury for ye use of ye Expedition against Louisbourg. Sent up by Mr. Macmurphy.

Voted, That all ye men imploy'd by ye committee of War for ye Expedition against Canada on board ye Transports for s^d Expedition as Seamen be allow'd seven shillings & six Pence pr Week for their Billeting to Monday next ye 25th Instant that ye masters of s^d Transports immediately lay their Portlidge Bills before ye Genl Assembly in order therefor & that ye Committee pay them off accordingly & for ye future that ye committee cause their usual al-

lowance of meat Bread peas & Rum to be deliver'd them out of ye Provisions in ye Province store for ye use of ye Expedition against Canada weekly, provided they attend on their Duty on board s^d Transports. Sent up by Mr. Sanborn.

A message pr Coll Gilman & Coll Wallingford to his Excellency last night to know his Pleasure concerning ye Transports in ye Prov^e Pay whether he could approve of their being discharg'd & what would be proper to be done concerning billeting ye soldiers inlisted in his Majesties service on ye Expedition ag^t Canada. His Excellency said in answer to ye former Part of ye message he would send an answer to ye House to morrow and that in Regard to ye soldiers declar'd there should be no allowance made to them until they had past a muster by his order & a Certificate from him of ye Number of men by him approved of.

The Hon^l Mr. Sheafe came down to ye House & said he was directed by his Excellency to inform ye House in answer to their message last night relating ye Transports That his Excellency does not think meet to discharge any of ye Transports but rather to take up more.

[p. 412.] Voted, That his Excellency ye Capt Genl be desir'd forthwith to cause to be inlisted or impress'd thirty good able bodied men to be imploy'd in ye Repairs of Fort William & Mary at Thirty shillings pr month, for one month under ye inspection care & management of ye committee appointed for that service & that ye Treasurer supply s^d men w^h Provision as customary for soldiers & that his Excellency be desir'd to cause s^d men to be chang'd every fourteen Days & Likewise cause such a number of ye twenty men already granted to be kept at s^d Fort as can be spar'd from actual Duty to be imploy'd with ye other men in said Repairs and that when ye Muster Roll of ye said thirty men shall be allow'd by ye Genl Court that they be paid out of ye money in the Treasury and that when there shall be so much of ye Interest of ye 25000£ Loan appropriated for ye Repairs of s^d Fort in ye Treasury that then ye Treasurer take ye sum so paid to s^d men out of s^d Interest & replace it in his acc^ts in ye proper place. Sent up by Capt. Bell.

Whereas by vote of ye Genl Assembly Coll Peter Gilman is to supply scouts convenient for him to supply with Provisions or money in lieu thereof & whereas he has represented to this House that ye money he has receiv'd is expended in s^d service, to enable him to supply future scouts,

Voted, That there be paid unto ye s^d Peter Gilman for said use out of ye money in ye Treasury for ye Defence of ye Government two hundred Pounds that he be accountable to ye Genl Assembly therefor & render account of this & ye former sum as soon as this sum is expended or when repair'd. Sent up by Capt Bell.

[p. 413.] Mr. Secretary came into ye House & said he was directed by his Excellency to inform ye House y^t he had adjourn'd ye Genl Court to Thursday ye 4th Sepr next & then in his Majesties Name declared ye Court adjourn'd to s^d Time accordingly.

Thursday Sepr 4th 1746 A. M.

The House met according to adjournment.

Voted, That Mr. Sanborn & Mr. Giddinge go & inform his Excellency that there is a pritty full House.

The House adjourn'd for two Hours.

Post Meredicm.

The House met according to adjournment.

Voted, That ye Muster Roll of Capt John Tolford & twenty four men under his command scouting at Canterbury fifteen Days from ye 14th Augt 1746 amounting to twenty one Pounds eighteen shillings be allow'd & paid out of money in ye Treasury for ye Defence of ye Government £21 : 18. Sent up by Mr. Russell.

Whereas Elizabeth Goudy ye Widow of James Goudy (a Voluntier killed in ye Expedition against Louisbourg) has represented to this House that her Husband James Goudy was charg'd by Capt Mason with two Guns one of which he return'd to Capt Mason & the other into ye Province Store for the Expedition against Canada,

Voted, That there be paid out of ye money in ye Treasury for ye use of ye Expedition against Canada unto s^{d} Elizabeth Goudy ye sum of fifty shillings in full for said sums. Sent up by Capt. Chesley.

[P. 414.] Voted, That there be allow'd Daniel Young ten shillings in full for transporting Lead & Powder to Chester to be paid out of ye money in Treasury for Defence of ye Government. Sent up by Capt Chesley.

Voted, That his Excellency be desir'd to order ye Voluntiers inlisted for ye Expedition against Canada to be called together at some convenient Place or Places as he shall think proper to be received & to direct that ye respective officers lay Lists of all ye effective men with ye Time of each mans enlistment before the Genl Assembly as soon as may be in order for ye allowance of their Billeting. Sent up by Mr. McMurphy.

Voted, That ye muster Roll of Sarg^{t} Saml Twombly & ye eleven men under his command scouting at Rochester fourteen Days from 4th Augt 1746 amounting to eight Pounds sixteen shillings & nine pence be allow'd & paid out of ye money in ye publick Treasury for Defence of the Government. Sent up by Mr. Macmurphy.

Voted, That ye Muster Rolls of Charles Baker & fourteen men under his command fifteen Days & Sixteen men ten Days guarding ye People &c at Barrington 1746 amounting to twenty two Pounds four shillings be allow'd & paid out of ye money in ye publick Treasury for Defence of ye Government. Sent up by Mr. Macmurphy.

The House adjourn'd til to morrow 9 o'clock.

Fryday Sep^{t} 5th 1746, A. M.

The House met according to adjournment.

Voted That all ye Transports taken up for ye design'd Expedition against Canada be dismiss'd except two such as ye commit-
[P. 415.] tee for managing ye affairs of s^{d} Expedition shall think proper. Sent up by Mr. Macmurphy.

Voted That John Gage Esq. & Mr. Henry Sherburne jun^{r} be a committee of this House to join such as may be appointed by ye Honb^{l} Council to audit Coll Moore's commissary accounts & make report to ye Genl Assembly as soon as may be. Sent up by Mr. Sanborn.

Voted That ye Comm^{ee} of Warr for supplying ye Forces in this Province Pay in ye Garrison of Louisbourg last Winter immediately transmit the acc^{ts} of what they supply'd ye admiral & General with for ye use of his majesty in said Garrison unto them & use ye proper means for getting ye money paid & if need be to send a suitable Person to Boston to settle ye affair with them at ye Publick Expence. Sent up by Mr. Sanborn.

The Hon^{r} Mr. Wibird came into ye House & said he was directed by his Excellency to inform ye House that all ye votes that have been sent up were concurr'd by ye Council & assented by ye Governour Except ye votes for calling ye men together & Dismissing ye Transports both of which were nonconcurr'd by ye Council.

The Hon^{l} Mr. Wibird came into ye House again & said he was directed by his Excellency to enquire whether ye House had done any thing upon his message relating ye depreciating his salary.

A message by Messrs Clerkson & Capt Gilman, to Pray ye Hon^{l} Council would be so kind as give ye House ye Reason for noncurring ye votes for mustering ye voluntiers for ye Canada Expedition & for dismissing ye Transports.

[P. 416.] The Hon^{l} Mr. Wibird came into ye House & said he was directed by ye Hon^{l} Council to inform ye House in answer to their message by Messrs Clerkson & Gilman that their Request was unprecidental & that ye Council were not oblig'd to give their Reasons for concurring or Noncurring votes.

The House adjourn'd for two Hours.

Post Meridiem 1746.

The House met according to adjournment.

The following is a copy of a Rec^{t} sent up to ye Council agreeable to their Desire by Mr. Wibird in ye forenoon.

Receiv'd into his Majesties Stores of Provisions for this Garrison of Mr. Jacob Sheaffe Commissary to ye Province of New Hampsh^{r} the several Provisions hereafter mention'd vizt.

Fourteen Hog^{ds} cont'^{g} one Hundred four & half Bush^{l} Peas.
Eight Hog^{d} Cont^{g} Eight Hundred & ninety six gall^{s} of Rum.
Three Hundred & twenty four Pounds of flower.

Thirty four & half Bush^{ls} of Beans.
Twenty eight Bush^{ls} of Indian Meal.
Two Hundred & fifty two Pounds Candles.
Seven Bar^{ls} q^{t} sixteen Quen^{s} & twenty five Pounds sugar.
Two Hundred & twelve Pounds of Butter.
Sixty four Hundred Bread pr Invoice.
Seventy six Barr^{ls} & fifteen Terces of Beef Quantity unknown.
Nineteen Barr^{ls} & one Terce of Pork ye Quantity & Quality of this article & ye Beef unknown.
Louisbourg May 29 1746, Two Receits to serve for one.

Thos Kilby Commissary

Sent up by Mr. MacMurphy.

[P. 417.] The House adjourn'd til tomorrow 9 o'clock.

Saturday Sept 6th 1746.

The House met according to adjournment.

Voted That there be allow'd to Jeremiah Libby two Pounds eighteen shillings & three Farthings in full for his account for repairing ye Goal August 1746 to be paid out of ye money in ye publick Treasury put in there by ye Interest of the twenty five Thous'd Pounds Loan & appropriated for repairs of ye Prison. Sent up by Mr. Macmurphy.

Voted That there be allow'd The Hon^{l} Theod^{r} Atkinson Esq. ten Pounds in full for two Journeys to Boston on ye affair of ye Canada Expedition to be paid out of ye money in the publick Treasury for ye use of said Expedition. Sent up by Mr. Macmurphy.

Voted That the several committees of Warr for the Expedition against Louisbourg prepare all their accounts relating said Expedition & lay them before the General Assembly as soon as may be. Sent up by Mr. Macmurphy.

Voted That there be paid out of ye money in ye Treasury for ye use of ye Expedition against Canada to each effective Volunteer that shall be certified by his Excellency to have inlisted in his Majesties service on said Expedition by ye last of July last, five shillings pr Week for Billeting money from ye Time of his Inlistment to 15th Augt last past. Sent up by Capt. Bell.

Capt Gilman pray'd Leave to enter his Dissent to ye foregoing Vote & accordingly did dissent & Mr. Sanborn & Mr. Giddings also Dissented to s^{d} vote.

[P. 418.] Voted That Peter Gilman Esq. Messrs John Sandburn, Henry Sherburn jun^{r} & Mech Weare wait on his Excellency to confer with him on his written message of this Day who made return that they had so done & inform'd the House of what his Excellency said thereon.

Mr. Secretary Atkinson came into ye House & said he was directed by his Excellency to inform ye House that he had ad-

journ'd ye General Assembly til Thursday 18th Instant at 10 o'clock A. M. & then in his Majesties Name declar'd ye House adjourn'd to said Time accordingly.

Thursday Sepr 18th 1746, 3 o'clock P. M.

The House met.

The Secretary bro't down a written message from his Excellency which is on File.

Mr. Secretary also bro't down a copy of ye Declaration of William Stanwood of Gloucester, Mariner & master of ye scooner Molly of Gloucester concerning a Number of ships he met with upon ye Western Bank of ye Isle of Sables about 20 Leagues distant from ye Isle Westerly—s^d Declaration is signed William Stanwood & sworn before his Excellency ye Governour & Council of ye Province of ye Massa^tts Bay ye 15th Sept 1746 & attested

pr I. Willard Secr^y.

The House adjourn'd til tomorrow 9 o'clock.

Fryday Sepr 19th 1746.

The House met according to adjournment.

Voted That ye hearing of those Petitions that were to have been heard to Day & tomorrow be deferr'd til ye Second Day of ye next sitting of ye Genl Assembly.

[P. 419.] Whereas there is a number of Valuable Cannon at New Castle not mounted or in any Posture for use, & whereas there is great Reason to think that there is a French Fleet upon ye Coast,

Voted That his Excellency be desir'd to give orders for the immediate inlisting or impressing fifty able bodied effective men to be forthwith imploy'd as he shall think proper fourteen Days in erecting Fascine Batteries & other proper works on ye Great Island so called for ye placing, sighting & making useful the said Guns if ye enemies should make any assault upon us to be paid out of ye money in ye Treasury when ye muster Roll shall be made up. Sent up by Mr. Sanborn.

The House adjourn'd for two Hours.

Post Meridiem 1746.

The House met according to adjournment.

Voted That his Excellency be desir'd to direct ye Secretary to lay ye Muster Rolls of ye men inlisted for ye Expedition against Canada before the Genl Assembly as soon as may be. Sent up by Mr. Macmurphy.

Whereas a committee appointed to consult on ye properest & best Method for ye Province to proceed in concurring Mr. Masons claim to this Province &c Reported that it would be best for this Province to purchase ye s^d claim for ye Benefit of ye Inhabitants [p. 420.] of this Province if ye late Purchasers will sell it for the same sum they gave for it & charges which Report was accepted by ye Genl Assembly & thereupon a com^tee was appointed accordingly & as ye said claimers have sent a letter to that com^tee which has been laid before ye Genl Assembly intimating that they expected when they parted that they would have pursued that Part of ye Vote which related to getting Instruments of Conveyance drawn &c.,

Voted, That Coll Peter Gilman Clem^t March Esqrs. & Mr. Meshech Weare be a Committee to join such as may be appointed by ye Honble Council to purchase s^d Claim agreeable to ye Report of ye Committee appointed to consult on ye properest & best method for ye Province to proceed in concerning Mr. Masons claim & to get Instruments drawn up accordingly to be laid before ye Genl Assembly for their approbation as soon as may be. Sent up by Capt Gilman.

Voted, That Saml Hixson be allow'd twenty five shillings & nine Pence in full for his being sent an express to Isle of Shoals Sepr 16, 1746 to be p^d out of ye money in ye Treasury for ye Expedition against Canada. Sent up by Capt Bell.

The House adjourn'd til to morrow Eight o'clock.

[p. 421.] Saturday September 20th 1746.

The House met according to adjournment.

Voted, That the Com^tee of War for ye Expedition against Canada deliver out to such of ye Voluntiers inlisted by ye last of July into his Majesties Service & in his Majesties Pay for s^d Expedition against Canada as his Excellency shall think for his Majesties Interest to order upon Duty the Provisions provided for them according to custom as his Excellency shall give orders therefor provided ye Number do not exceed five Hundred & ninety seven which his Excellency inform'd ye House in his message of ye 12th of August was ye Number inlisted. Sent up by Capt Jennes.

Mr. Giddinge pray'd Leave to enter his Dissent & accordingly did dissent.

Mr. Secretary came into ye House & said he was directed by ye Council to enquire whether there was any thing more like to come up to Day to which ye Speaker reply'd no. The Secretary then said he was directed by his Excellency to adjourn ye Genl Assembly til Thursday next at ten o'clock A. M.

Thursday Sep^{t} 25th 1746, A. M.

There not being a Quorum met the House adjourn'd for two Hours.

Post Meredicm 1746.

The House met according to adjournment,

Voted, That John Carter a Voluntier ag^{t} Louisbourg be allow'd six shills & three Pence in full of Doc^{r} Jo^{s} Adams Bill for medicins &c to be p^{d} out of ye money in the Treasury for ye use of ye Expedition against Louisbourg. Sent up by . . . . . .

[P. 422.] Mr. Secretary bro't into ye House a Written Message from ye Governour which is on File and sundry Depositions & Declarations concerning ye Discovery of a large Number of Ships on Cape Sable Shoar (1). Mr. Secretary said there was something omitted by his Excellency in ye written message & that he stil kept ye Powder in the Magazine in Fort William & Mary because his Majesty had order'd it there but look'd upon it to be Mr. Thomlinson's Property & Desir'd ye House would do something to Justify his moving of it in case he should find it necessary.

Voted, That Mr. Speaker Coll Gilman & Coll Wallingford & Mr. Sandborn be a committee to wait on his Excellency & to confer him on his written message of this Day.

Voted, That there be allow'd to Phineas Bachelder & 24 men under his command scouting at Rochester sixteen Days from ye 4th Augt 1746 twenty three Pounds nine shill^{s} & four Pence half Penny in full for s^{d} service to be paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Mr. Macmurphy.

Voted, That The Hearing of all ye Petitions that now lay before the House be farther deferr'd 'til ye second Day of ye setting of ye Genl Assembly after ye first of Novr next.

Voted, That there be allow'd to Eben^{r} Collins & twenty four men under his command scouting at Rochester from ye 19th July 1746, twenty four Pounds nineteen shillings & eleven Pence half penny in full for s^{d} service to be p^{d} out of ye money in ye Treasury for Defence of ye Government. Sent up by Mr. Macmurphy.

[P. 423.] Voted, That there be allow'd Ebenz^{r} Collins & twenty four men under his command scouting at Rochester fifteen Days from Augt 18th 1746 twenty two Pounds & one penny to be paid out of ye money in ye Treasury for Defence of ye Governm^{t}. Sent up by Mr. Macmurphy.

The House adjourn'd til to morrow 9 o'clock.

(1) See Depositions in Records of Council, pp. 109, 110.—ED

Fryday Sepr 26th 1746, A. M.

The House met according to adjournment.

Voted, That ye members of ye House go down to N. Castle & view ye New Batteries & other Works now carrying on there.

The House adjourn'd til 3 o'clock.

Post Meridiem 1746.

The House met according to adjournment, & call'd over & adjourn'd til to morrow 9 o'clock.

Saturday Sep^{t} 27th 1746.

The House met according to adjournment.

Mr. Secretary came down to ye House & said he was directed by ye Governour to recommend to ye House ye purchasing of any small Parcell of Powder that might be about ye Town & put it into ye Treasury lest it should be wanted and also to pass some votes for preventing ye firing of Guns.

Voted, That if his Excellency think it will be necessary for ye Defence of ye Government by Sea & Land to employ one hun- [P. 424.] dred men at his Maj^{s} Fort William & Mary in making Batteries exercising ye Guns &c & one hundred men in scouting on ye Frontiers for fourteen Days each (including ye Grants formerly made) that he be desir'd to inlist or impress ye same for ye Purposes afores^{d}. Sent up by Capt. Jenness.

Voted, That all ye Transports taken up for ye Expedition against Canada be forthwith dismiss'd except the two arm'd vessells. Sent up by Mr. Samborn.

Voted, That his Excellency be desir'd to direct ye respective officers to lay a List of what men each of them have inlisted for ye Canada Expedition agreeable to ye votes of ye Genl Assembly with ye Time of each mans Inlistment before ye Genl Assembly as soon as may be. Sent up by Coll. Gilman.

Voted, That ye Committee of War for supplying the men in ye Garrison of Louisbourg with cloathing &c last Winter deliver what cloathing & other Stores they have return'd unto ye Committee of Warr for ye Expedition against Canada. Sent up by Coll. Gilman.

Voted, Whereas ye melancholy Situation of the affairs of this Province under their present Difficult Circumstances having great Reason to think that their is a very large French Fleet upon our Coast & ye present Prospect of a Great Scarcity of Bread [P. 425.] Corn &c is matter of Great Humiliation & loudly calls upon us to humble our selves before God & earnestly implore his most Gracious Help who alone can Help out of all Difficulty,

Voted, That his Excellency be desir'd with advice of his Majest^{s} Council to set apart a Day to be solemnly observ'd as a

day of fasting & Prayer earnestly to beg of God to enable us to put our Trust in him & grant a Blessing unto ye means we are using for our Defence by Sea & Land & that he would most graciously find out a Way to help us out of all Difficulties & to advance his own Kingdom in ye World. Sent up by Col Gilman.

Voted, That his Excellency be desir'd to cause to be remov'd at ye publick expence some Part of ye Gun Powder & other Warlike Stores now in his Maj^s^ Fort Willm & Mary to some other more convenient Place or Places as he shall think proper & most for his Majesties service & safety of his loyal Subjects. Sent up by Col Gilman.

Mr. Secretary came down & said he was directed by his Excellency to adjourn ye Genl Assembly til Tuesday ye 14th of 8^br^ next at twelve o'clock & then in his Majestys name declar'd ye House adjourn'd to s^d^ Time accordingly.

Tuesday October 14th 1746.

It being very stormy the House did not meet according to adjournment. Mr. Secretary came to ye Court House & declar'd it was his Excellencys Pleasure that ye Genl Court should be adjourn'd to Tuesday ye 25th of Novr next.

[P. 426.] Tuesday Novr 25th 1746, A. M.

A Quorum of ye House did not meet this forenoon. About one o'clock Mr. Secretary came into ye House & said he was directed by his Excellency to inform ye House that he had prorogued ye Genl Assembly Til Tuesday ye second of December next & then in his Majesties name declared ye House prorogued accordingly.

Tuesday December 2^d^ 1746, P. M.

The House met according to Prorogation.

Order'd, That Doc^r^ March & Mr. Weare acquaint his Excellency that there is a Quorum of ye House met.

Mr. Secretary came into ye House & said his Excellency requir'd ye attendance of ye Speaker & ye House in ye Council Chamber. Mr. Speaker & ye House attended accordingly & then repair'd immediately to their own Room again.

Mr. Secretary bro't down his Excellencys speech Copy whereof is on File.

Mr. Secretary also bro't down ye Petition of Walter Warren Volun^r^ in ye Expedition ag^t^ Louisbourg,—also his Maj^s^ order in

Council dismissing ye Petition of Thomas Hutchinson Esq. & sundry Petitions thereunto annexed & ye Petition from ye Town of Dracut which had prayed that sundry Towns & Townships in his Majesties Province of s^d Hampsh^r might be united & reannex'd to ye Province of ye Massachusets Bay (1).

[P. 427.] Voted, That Coll Gilman Mr. Sherburne & Mr. Weare be a committee to prepare an answer to his Excellencys speech of this Day.

The House adjourn'd til to morrow 9 o'clock.

Wednesday Decemb^r 3^d 1746, A. M.

The House met according to adjournment.

Mr. Secretary bro't down ye Petition of sundry of the Inhabitants of ye Town of Stratham representing that ye Major Part of ye s^d Inhabitants had got to such a Disorderly Height as to call Mr. Joseph Adams to be minister of s^d Town &c. Mr. Secretary also bro't down ye Petition of ye Widow of Eben^r Jackson (who was killed at ye siege of Louisbourg) representing her needy circumstances &c. praying Relief &c. also ye Petition of Sundry of Capt Jonathan Presents men representing their being wrongfully charged with Guns &c. pray^g y^t Justice may be done &c.

The House adjourn'd til 3 o'clock.

P. M. 1746.

The House met according to adjournment.

After debating & canvassing sundry affairs The House adjourn'd til to morrow 9 o'clock.

Thursday December 4th 1746.

The House met according to adjournment.

That there be allow'd four Pence half Penny pr mile for all Expresses within this Government.

[P. 428.] Voted, That the men impress'd as Labourers from several Towns to work at ye Fort in ye List sent up be each allow'd & Paid ye sums set to their Names amounting in ye whole to 167: 5: 0, one hundred & sixty seven Pounds five shills to be paid out of ye money in ye Treasury for Defence of Government & further carrying on ye War, and that when there be so much of the Interest of the £25000 Loan appropriated for ye Repairs of Fort William & Mary in Treasury then ye Treasurer take one third of said sum paid to ye men Viz. £60: 0: 8 out of said In-

(1) The Editor has made thorough search for the document here referred to, but has failed to find it.—ED.

terest & replace it in his accounts in ye proper Place in ye Funds it was before taken out of. Sent up by Capt Leavit.

Voted, That there be allow'd Benj. Pitman £18: 13: 4 1-2 in full of his account for Expresses &c. to be p^d out of ye money in ye Treasury for ye Canady Expedition. Sent up by Mr. Sanborn.

Voted, That Solomon Smith be allow'd Seven Shillings & Six Pence in full for his going Express to Kingston to be paid out of ye money in ye Treasury for ye Canady Expedition. Sent up by Capt Chesley.

The House taking under Consideration ye Petition of ye Inhabitants of Stratham Bro't down yesterday &c,

Order'd, That said Petitioners be heard on their Petition the Second Day of ye sitting of ye Genl Assembly after ye fourteenth Day of this Instant December & that ye Petitioners at their own cost farther serve ye select men of s^d Stratham with a copy of this petition & this order of Court that they may shew cause if any they have why ye Prayer of ye Petition should not be granted. Sent up by Capt Jenness.

[p. 429.] Voted That ye muster roll of John Tompson & four men under his command scouting on ye Frontiers 20 Days from ye 7th of Augt amounting to five Pounds seventeen shillings & six Pence be allow'd & paid out of ye money in the Treasury for Defence of ye Government. Sent up by Capt Jennes.

Voted, That ye Muster Roll of Saml Randell, & ye ten men under his command scouting on ye Frontiers fifteen days from the 25th of Augt last amounting to Nine Pounds fifteen shill^s & nine Pence be allowed & paid out of ye money in the Treasury for Defence of ye Government.

Voted That ye muster Roll of Joseph Sias & ye nineteen men under his command amounting to seventeen Pounds four shills & five Pence half Penny be allow'd & paid out of ye money in ye Treasury for Defence of the Government. Sent up by Capt Jennes.

Voted That ye muster Roll of Saml Heard & fourteen men under his command amounting to six Pounds nine shillings & six Pence be allow'd & paid out of ye money in ye Treasury for Defence of the Government. Sent up by Capt Jennes.

Voted That ye muster Roll of Capt Jerem^h Clough & ye eleven men under his command amounting to fifty six Pounds nineteen shillings & eight Pence be allowed & paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Mr. Macmurphy.

Voted That there be allowd eight Pounds to Jonath Towle & ye fourteen Troopers under his Command in full for their muster [p. 430.] Roll scouting at & about Notingham ten Days from ye third of Sepr last to be p^d out of ye money in ye Treasury for Defence of ye Government. Sent up by Capt Jennes.

Voted, That there be allow'd Eight Pounds in full to Joseph Sanborn & ye thirteen men under his command scouting at &

about Notingham ten days from ye 16th of Augt last to be p^d out of ye money in ye Treasury for Defence of ye Government. Sent up by Capt Jennes.

The House adjourn'd for two hours.

Post Meridiem 1746.

The House met according to adjournment.

Voted That there be allow'd Eight Pounds eleven shills & three Pence to Capt. Nathaniel Drake & ye fourteen Troopers under his command scouting at or near Notingham ten days from ye 28th Day of July last to be paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Capt. Jennes.

Voted That there be allow'd one hundred & sixty five Pounds six shillings & Eleven Pence in full to Capt. Jeremiah Clough & ye men under his command scouting and guarding at Canterbury from 4th July 1746 to be pd out of ye money in ye Treasury for Defence of the Government. Sent up by Mr. Macmurphy.

[P. 431.] Voted that there be allow'd seven Pounds four shills in full to Eben^r Light & 12 men under his command scouting at Nottingham from 12th Sept last to be paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Capt. Jennes.

Voted That there be allow'd Eight Pounds eleven shills & three Pence in full to Jonathan Connor & fourteen men under his command scouting at Notingham ten days from ye 7th Augt last to be p^d out of ye money in ye Treasury for Defence of ye Government. Sent up by Capt. Jennes.

Voted That there be allow'd twenty Pounds nineteen shillings & three Pence in full to Capt James Gilmore & 24 men under his Command scouting at Canterbury twenty Days from 5th Augt last to be paid out of the money in ye Treasury for Defence of ye Government. Sent up by Capt Jennes.

Voted That there be allowed twenty Pounds three shillings & two Pence in full to Thos Wells & ye twenty three men under his command scouting at Canterbury 15 Days from ye 25 July last to be p^d out of ye money in ye Treasury for Defence of ye Government. Sent up by Capt Jennes.

Voted That there be allow'd eight Pounds eleven shillings & three Pence in full to Jethro Person & ye Troopers under his command scouting at Notingham ten Days from ye 25 Augt last to be p^d out of ye money in ye Treasury for Defence of ye Government. Sent up by Capt Jennes.

The House adjourned til tomorrow half an hour after nine.

[P. 432.] Fryday December 5th 1746, A. M.

The House met according to adjournment.

Voted That there be allow'd twelve Pounds ten shillings to John Sargent & Henry Flood in full for their service being posted

at Capt Goff's Garrison ye last summer by ye Governours order to be paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Capt Jennes.

Mr. Secretary bro't down the Petition of Sundry Kingston men relating ye supe^r Courts mandamus about Basford's Grants &c complaining of Difficulties & praying Relief for Reasons therein mentioned.

Also the Petition of Daniel Peasle & John Ober in behalf of ye Inhabitants of Methuen Representing that Part of ye s^d Inhabitants are rated both at Windham & Methuen praying Relief, &c. Also four Petitions signed by many of the subjects of this Province praying Liberty to build a Bridge over Exeter River at the Ferry at New Market or a little above at ye New field for Reasons therein mentioned.

The House adjourned for two Hours.

Post-Meridiem 1746.

The House met according to adjournment.

Voted That ye answer to his Excellencys speech (copy whereof is on File) be sent to his Excellency. Sent by Mess^s Sanborn & Jennes.

Voted That there be allowed Thos Greer seven shillings & three Pence for going express to Londonderry & six shills & three Pence to Capt Mark Langdon for his Horse for s^d Journey to be p^d out of money in ye Treasury.

[p. 433.] Whereas by Vote of ye Genl Assembly Coll Peter Gilman is to supply scouts convenient for him to supply with Provision or money in Lieu thereof & likewise John Gage Esq. to supply scouts convenient for him to supply with Provisions or money as above & whereas they have represented to this House that they have advanced large sums of money for supplying s^d scouts more than they have receiv'd by order of Govern^t therefore in order to discharge s^d sums & to enable them farther to supply scouts,

Voted That there be p^d unto ye s^d Peter Gilman 200£ & to s^d John Gage the sum of 125£ for s^d use out of the money in the Treasury for the Defence of ye Government & that they render acc^ts of this & the other sums they have receiv'd to the Genl Assembly when they shall require ye same. Sent up by Capt. Gilman.

The House adjourned til tomorrow ten o'clock.

Saturday December 6th 1746.

The House met according to adjournment.

Voted That there be allow'd thirty two Pounds seventeen shills & eight Pence to Capt John Goffe & ye thirteen men under his command in full of their Muster Roll from ye 21st May last to be

paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Capt Jennes.

The House taking under consideration ye Petitions of many of ye Inhabitants of this Province bro't down on ye 5th Instant praying Liberty to build a Bridge over Exeter River &c.,

Voted That ye Petitioners be heard on their Petitions ye second Day of ye setting of ye Genl Assembly after ye seventeenth Day of Jany next & that ye Petitioners at their own expence [p. 434.] advertize ye Publick three weeks successively (between this day & ye aforesaid 17th of Jan.) in ye Post Boy & evening Post News Papers (so call'd) of ye Ten^r of prayer of s^d Petitions Viz^t, that there may Liberty granted for building a good sufficient Draw Bridge over Exeter River at Wiggins Ferry so called, or at ye New Field at ye proper cost & charge of ye Petitioners that any or every one may have opportunity to shew cause if any they have why ye Prayer of s^d Petitions should not be granted. Sent up by Capt. Jennes.

Mr. Secretary bro't down ye Petition of Saml Adams shewing that he had agreed with ye com^tee of ye Government to build a Bridge over Suncook River & praying for longer Time to do ye same for Reasons therein mention'd and then—

Mr. Secretary s^d he was directed by his Excellency to adjourn ye Genl Court 'til monday next at 12 o'clock & then in his majesties name declar'd this House adjourn'd accordingly.

Monday December 8th 1746.

The House met at three o'clock.

Whereas a committee appointed to consult on the properest & best methods for ye Province to proceed in concerning Mr. Mason's claim to this Province &c. reported that it would be best for this Province to purchase ye said claim for ye Benefit of ye Inhabitants of this Province if ye late purchasers will sell it for ye same sum they gave for it & charges which Report was accepted by ye Genl Assembly & thereupon a com^tee was appointed accordingly & as ye said claimers have sent a Letter to that committee which has been laid before ye Genl Assembly intimating that they expected when they parted that they would have pursued that Part of ye vote which related to getting Instruments of Conveyances drawn &c.

[p. 435.] And whereas by a vote of this House of ye nineteenth of Sepr Last, Coll Gilman, Mr. March & Mr. Weare were appointed a comm^tee of this House to join such as should be appointed by ye Hon^l Council to purchase said claim agreeable to said Report &c which comm^tee were then prevented from acting in said affair by ye surprise & confusion ye Province was then put

in by ye Report of a large French Fleets being on or near our Coast & whereas s^d Vote is since dead by ye Prorogation of ye Genl Assembly it is therefore again

Voted That ye s^d Coll Gilman, Mr. Wear & Mr. March be a com^tee to join such as may be appointed by ye Hon^be Council to purchase s^d claim agreeable to ye Report of ye Committee appointed to consult on ye properest & best methods for ye Province to proceed in concerning Mr. Mason's claim & to get Instruments drawn up accordingly to be laid before ye Genl Assembly as soon as may be. Sent up by Capt. Jennes.

The House taking under consideration ye Petition of Saml Adams bro't down ye sixth Instant &c.

Order'd That s^d Petition be dismiss'd.

Voted That Maj^r Thos Davis be a comm^ee of this House to join such as may be appointed by ye Hon^l Council to build or get built a good sufficient Cart Bridge over great Suncook River & Sowcook River in or near ye Way that is clear'd from Durham to Canterbury by or before ye last of May next agreeable to ye vote of ye Genl Assembly of ye 20th May last Past. Sent up by Maj. Davis.

[p. 436.] Voted That John Gage Esq. & Mr. Henry Sherburne Junr be a comm^ee of this House to join such as may be appointed by ye Hon^r Council to audit Coll Moore's commissary acc^ts & make Report to ye Genl Assembly as soon as may be. Sent up by Maj. Davis.

Voted That there be allow'd sixteen shillings to Mathew Livermore Esq. sixteen shillings in full of his account for drawing sundry acts to this Day to be paid out of ye money in ye Treasury. Sent up by Maj. Davis.

Voted That John Ladd Junr be allow'd fifty six shillings & three Pence in full of his acc^t for Expresses &c to be p^d out of ye money in ye Treasury. Sent up by . . . .

The House adjourn'd til tomorrow half after 9 o'clock.

Tuesday Decr 9th 1746, A. M.

The House met according to adjournment.

Mr. Secretary bro't Down copies of sundry Paragraphs of sundry of Thomlinsons Letter relating Louisbourg acc^ts Powder &c. also Mr. Secretary read a Paper which he said he was directed to do by ye Govr which Papers inform'd that ye Numb^r of men inlisted for ye Canada Exped^n & which ye Govr had return'd to ye Duke of New Castle was seven hund^d & thirty three. Mr. Secretary said ye House might see ye Particular Inlistments if they pleas'd, but the Govr chose to Deliver them 'til [to] Lie^t Gen St Clair when he came if ever he did come.

[The following paper is copied from MS. Corr. in Secretary's Office, Vol I, p. 307.]

Province of New Hampshire 1746.

Account of Payments for the Canada Expedition, To sundry to Inlist Voluntiers, viz.

Joseph French,	£690 :	Capt. Joseph Sherburne,	387 : 10
Maj^r Ezekiel Gilman,	2987 : 10	Mr. Joseph Prescott,	310
Capt. John Wentworth,	1291 : 13 : 4	Mr. Richard Mattoon,	930
Capt. George Mitchell,	1425	Capt. Greg,	100
Capt. John Furnell,	1136 : 13 : 4	Capt. Andrew Todd,	1223
Capt. John Goffe,	3450	Capt. Ichabod Tibbetts,	1144
Capt. Dudley Odlin,	3060	Capt. John Light,	730
Maj. Thomas Davis,	3000	Mr. David Swett,	465
Coll^o Samuel Moore,	1325	Capt. James Whidden,	60
Mr. Thomas Pickering,	1679 : 3 : 4	Mr. Francis Locke,	310
Mr. William Shackford,	1200	Capt. Edward Brooks,	400
Capt. John Eyre,	75	Joseph Rawlings,	310
Mr. Eliphalet Daniel,	200	Mr. Jeremiah Wheelright,	155
Mr. Zechariah Frost,	1315	Mr. Stephen Glasier,	30
			£29389 : 10

Pr. Geo. Jaffrey,
Treas^r.

Voted That Charlis Drew be allow'd twenty eight shills in full [p. 437.] for his service in carrying Capt Goffes men &c up the River in Octo Last to be paid out of ye money in ye Treasury for the Canada Expedition. Sent up by Mr. Giddings.

The House adjourned for two Hours.

Post Meridiem 1746.

The House met according to adjournment.

Voted That all the acc^ts relating ye expedition ag^t Louisbourg be forthwith prepar'd & got ready to be laid before ye Genl Assembly & as soon as possible & transmitted to John Thomlinson Esq. agent for this Provi^e at ye court of Great Brittain. That ye Hon^e Ebenez^r Stevens Esq. Thomas Wallingford Esq. & Mr. Henry Sherburne jun^r be a com^tee of this House to join such as may be appointed by the Hon^bl Council to forward s^d acc^ts to said Agent & correspond with him on s^d affair & desire him on behalf of this Province to solicit ye Payment of the sums expended by this Government on said Expedition & return him ye Thanks of this House for all his past services & particularly his Great services in answering ye Petition of Thomas Hutchinson Esqr &c & procuring his Majesties Royal order in Council of ye 28th of May 1746, for ye Dismission of s^d Petitions & desire him to send his accounts of ye charge he has been at about ye s^d Petitions &c to be laid before ye Genl Assembly & that all the Letters to & from ye agent be laid before ye Genl Assembly. Sent up by Mr. Giddings.

[p. 438.] Voted That there be allow'd Seven Pounds Eighteen Shills & Eleven Pence to nine men in full of their muster Roll for scouting at Notingham under command of Capt Israel Bartlet

from ye third of July last to be paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Mr. Gidden.

Voted That there be allow'd thirteen Pounds twelve shillings to Sarg^t Folsom & the thirty men under his command in full for their muster Roll for scouting Six Days from ye 16th of Augt last above Pautucket mountains & else where to be p^d out of ye money in ye Treasury for Defence of ye Government. This vote is detained till it is sworn to. Sent up by . . . . .

The House adjourned til tomorrow Half an hour after nine.

Wednesday Decr 10th 1746.

The House met according to adjournment.

Voted That there be allow'd four Pounds thirteen shills & six Pence to Capt. John Smith & five men under his command in full of their muster Roll for scouting at Wadleighs &c 14 Days from ye 25th July last to be p^d out of ye money in ye treasury for Defence of ye Government. Sent up by Coll Wallingford.

Whereas his most Excellent Majesty in Council at the Court at Kensington on ye sixth of Sep^t 1744 was pleas'd to order the master of ordnance to send a certain Parcel of Canon Powder & other stores to this Province provided ye agent of s^d Province should give security to pay ye Value of ye Powder within such Time as ye Board of Ordnance should think proper which Canon Powder and other Stores arrived here in ye Ann & Jane Capt [p. 439.] Anthony Hammond commd^r in June 1745 & was landed at ye expence of this Province at his Majesties Fort William & Mary,

Voted That if a proper method can be agreed upon by ye Genl Assembly for raising the money to pay ye Cost of s^d Powder which by ye account from ye Board of Ordnance amounts to six Hundred & fifty four Pounds sterling that their s^d money with ye Interest thereof since it has been paid be forthwith remitted to John Thomlinson Esq agent of this Province with Thanks of this House for his good services in procuring ye s^d Cannon Powder & other stores by a committee to be appointed by ye Genl Assembly for that Purpose & that ye said Powder be for ye Defence of ye Government & accounted for to ye Genl Assembly. That a suitable Part of it as may be agreed upon by ye Genl Assembly be lodged in ye Magazine at his Majesties Fort for ye Time being to be by him accounted for to ye Genl assembly & that a Powder House be forthwith built on a suitable Place to lodge ye Rest in under ye care of a proper Person & Persons to be appointed by ye Genl Assembly and that it be not drawn out or disposed of but by ye Genl Assembly unless on an emergency then to be drawn out by ye Capt Genl order & accounts rendered to ye Genl Assembly of ye Improvement thereof. Sent up by Coll Wallingford.

The House adjourn'd for two Hours.

[p. 440.] Post Meridiem 1746, 10th Decr.

The house met according to adjournment.

This afternoon was spent in debating on ye Gun Petition & ye Kingstown Petition &c but nothing concluded upon ye same.

Mr. Secretary bro't down ye Petition of Richd Brewster a volunr agt Louisbourg representing his have lost sundry things at ye attack of ye Island Battery praying to be pd for ye same.

The House adjourn'd til to morrow ten o'clock.

Thursday Dec. 11th 1746, A. M.

The House met according to adjournment.

Whereas Capt Daniel Ladd who voluntarily engaged to inlist Voluntiers to scout on ye Frontiers of this Province on the encouragement given by the vote of ye Genl Assembly for large Bounty on scalps &c Recd a large sum of money out of ye publick Treasury which it is suggested sd Capt Ladd has misapply'd & misimprov'd & whereas ye sd Capt Ladd has presented a muster Roll to this House of ye sd Voluntiers so inlisted which very much differs from a Muster Roll laid before the House by ye Clerk of sd Voluntiers,

Order'd, That an order forthwith go from this House directed to ye Sherriff of sd Province his under Sherriff or Deputy requiring him forthwith to summon ye sd Ladd immediately to appear before this House if he refuses to come willingly forthwith to compel him &c. and a Warrant was issued to ye Sherriff accordingly.

[p. 441.] Mr. Secretary came down & said in answer to ye message by Mr. Sanborn all ye Votes yt have been sent up this session were concurr'd by ye Council except ye votes relating purchasing ye Powder bro't by Capt. Hammond & ye Vote relating ye purchasing Mason's claim & ye vote for a Committe to correspond with ye agent &c & ye vote for supplying Coll. Gilman & Capt. Gage with Bilg money.

Voted, That there be allow'd Joseph Moses & Company four Pounds nineteen shillings & nine Pence in full of their account for Work done at ye Battery at Jerry's Point to be paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Mr. Sanborn.

Voted, That there be allow'd twenty one Pounds thirteen shillings & seven Pence in full to Joseph Buss & company for work done at Jerry Point Battery to be paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Mr. Sanborn.

The House adjourn'd til 3 o'clock.

Post Meridiem 1746.

The House met according to adjournment.

Voted the account of ye committee for getting the sixty thousand Pounds imprinted amounting to three Hundred & thirty Pounds five Pence three farthings be allow'd & p^d out of ye money in ye Treasury for ye use of ye Expedition ag^t Canada. Sent up by Mr. Sanborn.

The House adjourn'd til tomorrow ten o'clock.

[P. 442.] Fryday Decr 12th 1746, A. M.

The House met according to adjournment.

Mr. Secretary bro't down ye Petition of sundry of ye Inhabitants of Windham concerning their Town meeting &c. Mr. Secretary said all ye votes (except those sent up to Day) were concurr'd by ye Council (except ye vote for Coll Gillman & Capt Gage to receive Billeting money for that they tho't 'twould be needless till they bro't in their acc^ts & except ye vote for purchasing Powder which vote was now under consideration.)

The House adjourn'd for two Hours.

Post meridiem 1746.

The House met according to adjournment. The House taking under consideration ye Windham Petition bro't down in ye forenoon by ye Secretary,

Voted That ye Petitioners be heard on their Petition ye third day of ye sitting of ye Genl Assembly after the 17th of Jany next & y^t ye Petitioners at their own cost serve ye selectmen of s^d Windham with a copy of s^d Petition & this order of Court that they may appear & shew cause if any they have why ye Prayer of Petition should not be granted. Sent up by Mr. Macmurphy.

Voted That ye acc^t of Mr. Daniel Pierce amounting to seven Pounds eighteen shills & seven Pence be allowed & paid out of ye money in the Treasury. Sent up by Mr. Macmurphy & Leavit.

Whereas his Excellency the Governour has in several speeches [P. 443.] to the Genl Assembly & messages to the House desir'd that he might have a consideration made him for ye Depreciation of ye money since the setling of his Salary, and whereas his Excellency has been at extraordinary trouble & expence these last years by reason of War & Expeditions that have been carrying on,

Voted That there be paid to his Excellency ye Governour out of ye money in ye Prov. Treasury two hundred & fifty Pounds in consideration of his extraordinary services & in full discharge of any arrearages or Deficiencies in his Excellency's Salary on any account whatsoever to this Time. Sent up by Mr. Macmurphy & Leavit.

Voted That ye Committee of War for ye Expedition against Canada provide all such Tools Implements & stores as may be necessary for the promoting of s^d Expedition by sea & Land & deliver them to his Excellencys order for ye use of s^d Expedition & that ye snow shoes & maughgazines purchased last year be delivered to said committee of War & paid for out of the money in ye Treasury for ye Expedition against Canada. Sent up by Mr. Macmurphy & Leavit.

The House adjourn'd til tomorrow ten o'clock.

Saturday Decr 13th 1746. House met according to adjournment.

Voted That Saml Huntriss be allowed fifteen shills & nine Pence in full for ye use of his Gundloe 18 days at ye Fort &c. Novr last to be paid out of ye money in ye publick Treasury. Sent up by Coll Gilman.

Voted That the Warrants for paying ye money to ye men y^t worked at ye Fort go out to pay it to ye following men.

[p. 444.] Ephraim Martin	40:	10	for ye men he Impress'd
Benj^a Hobbs	22:	10	for ye men he impress'd
S. Prescut	23:	5	for ye men he impress'd
Thos Cram	21:	15	for ye men he impress'd
Robt Roe	26:	5	for ye men he impress'd
Coll Atkinson	33:		for ye men he impressed

Sent up by Mr. Macmurphy & Leavit.

Billoting Pay'd for Canada Expedition.

[Copied from MS. Corr. in Secretary's office, Vol. I, p. 319.]

To Capt Jno Goffe for	113 men	To Capt. Mitchell	22
To Capt Odlin	103	To Maj^r Wentworth	42
To Maj^r Davis	85	To Capt French	23
To Maj^r Gilman	79	To Capt Jno. Furnell	15
To Mr. Wm. Shackford	28	To Eliph^t Daniels	6
To Mr. Richd Malloon	18	To Tho. Pickerin	42
To Frances Lock	8	Capt Foss	36
To Capt Sherburne	7	Capt Tibbets	25
To Capt Tod	24	To Mr. Wheelwright	4

Voted That ye Committee of Warr for ye Expedition ag^t Canada when Pork is at ye cheapest (& in ye cheapest manner they can) purchase five hund^d Bbl^s of good new Conneticut or this country Pork & if they think it will be for ye Benefit of ye Government to send a man to Boston or Conneticut to purchase ye same, that they be impower'd to send a suitable Person with money to be receiv'd out of ye Treasury for that end to purchase ye s^d Quantity or any Part thereof & if it is agreeable to ye Honble

Council & ye Comm^t^ of War ye House recommend Coll Thos Wallingford as a suitable Person for s^d^ service. Sent up.

Voted That ye com^tts^ acc^t^ for making up ye Muster Rolls amoun^g^ to £17 : 5 : 9 be allow'd & p^d^ out of ye money in ye Treasury. Sent up.

Capt. Daniel Ladd being bro't before ye House pursuant to an order of this House of ye 11th Instant & it being likely that ye Genl Assembly will presently be adjourn'd & so not time to enter into an examination of ye affair,

Order'd That ye s^d^ Daniel Ladd appear in this House on the third day of ye next sitting of ye Genl Assembly upon his Peril [p. 445.] to answer to ye matter for which he was now Bro't & then to refund what money of ye Governments shall appear to be in his hands.

Mr. Secretary came down to the House & said he was directed to inform ye House that his Excellency had adjourn'd ye Genl Assembly til Tuesday ye 20th Jany next & then in his Majesties name declar'd ye House adjourn'd accordingly.

Tuesday Jany 20th 1746–7.

It being extream cold & a Quorum of ye House not being met Mr. Secretary came into ye House & said he was order'd by his Excellency to adjourn ye Genl Court 'til tomorrow ten o'clock & declar'd ye Court adjourn'd accordingly.

Wednesday Jan 21st 1746–7.

The House met according to adjournm^t^.

Order'd That Coll Gilman & Mr. Giddings go & inform his Excellency that there was a Quorum of ye House met.

Voted That Samuel Cate be allowed fifty shillings in full for himself & Horse going Express to Boston in Novr last to be p^d^ out of ye Money in ye Treasury for ye Canada Expedition. Sent up by Capt Gilman.

Upon complaint made to ye House by Thos Wallingford & John Gage Esqs. against one George Legorse in that said Legorse did yesterday affront & insult s^d^ Wallingford & Gage at Newington,

[p. 446.] Order'd That a warrant be forthwith issued to apprehend & bring s^d^ Legorse before ye House.

Mr. Secretary bro't down three Letters directed to Himself signed by sundry of ye officers at Winnipisiocke & complaining of disobedient and other disorderly practices &c. Mr. Secretary said he had shown s^d^ Letters to ye Governour & that he recom-

mended to the House to make some Law to punish s^d^ Delinquents & to restrain them for the future (1).

The House adjourn'd for two Hours.

Post Meridiem 1746–7.

The House met according to adjournm^t^. Upon a motion of Capt Gilman

Voted That ye hearing of the Petitions for a Bridge over New Market River be further deferr'd 'til ye 2^d^ Day of ye sitting of ye Genl Assembly after ye first March next.

Mr. Secretary bro't down ye Petitions for a Bridge over N Market River & ye Petition of Wm. Jemeson &c. Inhabitants of Windham & ye Petition of Wm. French & 63 Inhabitants of Stratham. Mr. Secretary said ye Governour desir'd ye House would defer ye hearing of s^d^ Petitions & other Business of less Importance for that he did not propose to keep ye Genl Court setting this cold season & desired ye House would immediately proceed to ye affair of ye Canada soldiers as recommended in ye forenoon.

Voted That ye Hearing of s^d^ Petitions be deferr'd til ye 2^d^ Day of ye sitting of ye Genl Court after ye first of March next.

[P. 447.] Mr. Sheriff Packer Bro't George Legorse ye Person complained of by Coll Wallingford & Capt Gage before ye House when s^d^ Legorse acknowledged ye charge laid against him & said he was [sorry] for it, & is ready to ask Pardon of ye Gentlemen & hopes he shall behave better for ye future.

Order'd That ye said George come before ye House & at ye Barr with an audible voice ask the Pardon of ye House in Genl for ye affront offer'd to them & also ask Pardon of Coll Wallingford & John Gage Esq. for ye affront to them in particular & if he refuses to ask Pardon as aforesaid to pay a fine of fifty Pounds for ye use of ye Government & that he pay all costs & stand committed 'till ye sentence be perform'd.

Said Legorse accordingly came into ye House and comply'd with ye sentence above s^d^.

The House adjourn'd 'til tomorrow 10 o'clock.

Thursday Jany 22^d^ 1746–7.

The House met according to adjournment.

Mr. Secretary bro't down ye Petition of many of ye Inhabitants of Kingston about a certain Highway &c.

Voted That Coll Gilman Mr. Giddinge & Mr. Sanborn or any two of them be a committee of ye House to go to Kingston & [P. 448.] enquire into ye affairs & make Report to ye Genl Assem-

(1) These letters cannot now be found.—Ed.

bly the second Day of ye setting of ye Genl Asssmbly after ye first Day of March next. Sent up by Mr. Macmurphy.

The House adjourn'd for two Hours.

Post Meridiem 1746–7.

The House met according to adjournm^t.

Voted That there be two Pounds allow'd to the Honble Eben^r Stevens Esq. in full for his care about snow-shoes & maughasins agreeable to Direction of ye House to be pd out of ye money in ye Treasury for ye use of ye Canada Expedition. Sent up by Mr. March.

Voted That there be allow'd thirty shillings to Coll Peter Gilman in full for his care about snow-shoes & maughasins to be p^d out of ye money in the Treasury for ye use of ye Expedition ag^st Canada. Sent up by Mr. March.

Voted, That there be allow'd thirty shills to Mr Zebulon Giddings in full for his care about snow-shoes & maughasins to be paid out of ye money in ye Treasury for ye use of ye Expedition against Canada. Sent up by Mr. March.

Voted, That Mr. Clarkson Mr. Russell & Mr Leavit wait on his Excellency & inform him in answer to his message by ye Secretary yesterday that ye House are of opinion that ye Laws already made are sufficient to regulate ye Kings troops.

The House adjourn'd till tomorrow 10 clock.

[P. 449.] Fryday Jany 23^d 1746–7.

The House met according to adjournment.

Mr. Secretary came into ye House & said he was directed by his Ex^y to inform ye House that he had received ye House's message by Messrs Clerkson & Leavit Esqs. viz. y^t ye Laws already made are sufficient to regulate ye Kings Troops & his Excel^y says if there be such Laws he does not know them & would be glad that ye House would point them out. And ye Sec^y also said he was directed to leave a copy of ye Gov^rs 66th Instruction—which copy is on file, and then ye Secretary moved to ye House to do something about ye Billeting of ye soldiers.

Voted That there be allow'd forty two shills & six Pence to Coll. Smith in full of his account for his care about snow-shoes & maughasins to be paid out of ye money in Treasury for ye use of ye Expedition against Canada. Sent up by Mr. Clarkson.

Capt Phillip Reed being sent for came into ye House & being interrogated concerning his conduct in his late voiage in ye sloop Speedwell to France with Prisoners & Capt Reed laying his orders Protests & other Papers before ye House withdrew,

Voted That Coll Wallingford & Mr. Sherburne be a Com^tee of this House to join such as may [be] appointed by ye Honble Coun-

[P. 450.] cil to enquire into ye affair of ye voiage in which Capt. Phillip Reed was imployed as Master of ye Sloop Speedwell imploy'd by this Government to Transport Prisoners to France to settle (with ye best advice & in the best manner they can) the whole affair respecting ye Masters & mens wages ye Hire & Insurance of ye s^d vessel & making sale of ye vessell or whatever may be best to be done with her & to transact whatever may be needfull with John Thomlinson Esq. for settling ye affair of anything he has insured or Done respecting s^d vessell or with any other Person so as to finish ye whole affair in ye best manner they can for ye Govern^t to be laid before ye Genl Assembly & that ye s^d Comm^tee receive money out of ye Treasury for Discharging what is needful to be paid in s^d affair. Sent up by Capt. Jenness.

Capt. Danl Ladd came before ye House agreeable to ye order of ye House of ye 13th of Decr last & after Examination concerning ye affair for which he was order'd before ye House he was directed to refund ye Governm^ts money y^t was in his Hands or give security to do it in a short time.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

[P. 451.] The House taking under consideration his Exce^ys message of this morning by Mr. Secretary & his Maj^tys sixty-sixth Instruction to his Excellency it was Voted That ye following message be deliverd to his Excellency by Messrs Wallingford & Jenness, viz. that ye House have considered of what was propos'd to them & cannot see their way clear to make any act relating to that affair.

The House adjourned till tomorrow ten o'clock.

Saturday Jany 24th 1746–7.

The House met according to adjournment.

Voted That there be allow'd twenty-five shillings in full to Abner Clough for attending to make up Capt. Danl Ladd's muster Roll pr order of ye House to be paid out of ye money in ye Treasury for Defence of ye Government.

Voted That Charles Hight be allow'd three Pounds twelve shillings & Eleven Pence farthing in full for his Acc^t for repairing ye Fort Boat, hire of his Gundloe taking Powder out of Capt Hammond &c. to be paid out of ye money in the Treasury. Sent up by Capt. Leavit.

[P. 452.] Voted That Capt Danl Ladd's muster Roll amounting to one hundred & seventy seven Pounds sixteen shillings & four Pence be allowed & ye money paid to the men to whom it is due or their order or their legal Representatives out of ye money

in ye Treasury for Defence of ye Government (1). Sent up by Mr. Jenness.

Mr. Secretary bro't down ye Governor's order to Capt. Phillip Reed to proceed on his late voiage to France with Prisoners also his Excellencys letter of advice concerning s^d voiage to John Thomlinson, Esq. Also his Excellencys written message recommending to ye House ye reconsideration of their message of last Night relating ye making an act to punish Deserters.

Governor's Message, 24 *Jan.*, 1746-7.

[Copied from MS. "Gov^rs Messages," in Secretary's office, Vol. I, p. 437.]

Gentlemen of the Assembly,

I was hopeing no application from the chair that was for his Majesty's Immediate service could fail of having its due Weight in your house, especially an application that was founded on his Majesty's Instruction on the same subject, wch has been laid before you, to convince the House that it is his Majesty's pleasure That an Act for punishing mutiny & desertion should have a being in this Province, but I find in answer to my message on this occasion, that the House did not see their way clear in it. I must therefore desire that your answer may be reconsidered, and that you effectually enable me to preserve good order & discipline in his Majesty's troops, otherwise for my own Justification, I shall be under a necessity to lay this matter before the King.

B. Wentworth.

Council Chamber in
Portsmouth Jan. 24th, 1746.

The House immediately took said Message under consideration & after a short Debate it was

Voted That the House would not reconsider ye said message.

Coll. Wallingford & Capt Gage & Capt Bell beg'd leave to enter their Dissent for ye Reasons following.

First because they knew no Law (as had been hinted) extant whereby Disorders of ye abovementioned nature might be restrain'd & punished: secondly because ye Honour as well the Interest of ye Government required that such Disorders be prevented for the future & that ye House was ye rather obliged to take notice thereof as they were sitting when they rec^d ye Intelligence of ye Dissensions abovementioned &c.

[p. 453.] Mr. Secretary came into ye House & said he was directed by his Ex^y to inform ye House y^t he had adjourn'd ye Genl Court of this Province to Tuesday ye 31st of March next & then in his Majesties Name declared ye Court adjourned to s^d time accordingly.

(1) See copy of Capt. Ladd's Muster Roll in Adj. Gen. Rep. (by Col. C. E. Potter), Vol. 2, 1866, pp 94, 95. Capt. Ladd was in command of the company, part of which had a fight with the Indians at Rumford (now Concord), Aug. 11, 1746. See also Bouton's Hist. of Concord, 1856, pp. 157-173.—Ed.

A Journal of a Convention of ye members of ye House of Representatives convened by a written Summons in ye following words, viz.

Province of New Hampshire.

Portsmouth March 6th 1746—

I am Commanded by his Excellency to let you know he has some affairs of importance to communicate to the General Assembly & that 'tis for his Majestys service that they meet at Portsmouth on Wednesday next the 11th Instant at 10 o'clock before noon, accordingly you are desired to give your attendance without fail.

I am your most obedient Hum^l serv^t

Theodore Atkinson, Sec^y.

March 11th 1746-7.

Present as follows.

Eb^r Stevens Esq.	Mr. Zeb. Giddinge
Ja^s Clarkson Esq.	Thos. Bell Esq.
Elea^r Russell Esq.	Richd Jennes Esq.
Mr. Hen. Sherburne jun.	Moses Leavit Esq.
Tho. Wallingford Esq.	Capt. Jn. Nutter
Jo^n Gage Esq.	Jo^n Macmurphy Esq.
Thos Davis Esq.	Clem. March Esq.
Saml Palmer Esq.	Capt. Jonth. Chesley
Mr. Meshech Weare	Capt. Israel Gilman
Pet^r Gilman Esq,	D. Pierce

[p. 454.] Coll Wallingford & Capt. Jennes went & informed his Excellency that a number of ye members were convened.

Mr. Secretary bro't down his Excellency's written message to the convened members (1) which is on file, also Govr Shirley's Letter to Govr Wentworth, Dated March 4th 1746; also Lieut. Gov. Mascaren's Letter, Dated 11th Decr 1746; also an Extract of Lieut Govr Mascaren's Letter to Govr Shirley, Dated Annapolis Royal Feby 8th 1746-7; also an Extract from Lieut. Col^o Gorham's Letter to Govr Shirley Dated Annapolis Royal Feby 8th 1746.

Adjourned 'til to morrow 9 o'clock.

Thursday March 12th 1746-7.

Met according to adjournment.

Voted That Coll. Gilman & Mr. Weare desire to know of his Excellency what assistance he expected agreeable to his Speech. Sd Gilman & Weare return'd & said that ye Governour thought

(1) This message is entered in "Journal of the General Assembly," which see.—Ed.

one arm'd vessell & fifty men with Capt. Sherburn's brig^{t} would be sufficient.

Mr. Secretary bro't down a Letter from Govr Shirley Dated March 10th 1746 (1), Also an Extract of a Letter from Lieut Govr Mascarene to Govr Shirley dated Annapolis Royal 24th Feby 1746–7, Also ye Petition of Capt. Eastman of Pennecook praying for men to protect them against ye Enemy (2).

Voted, That ye following be sent to his Excellency in answer to his Message of yesterday, viz.

[P. 455.] *May it please your Excellency,*

The convened members do not think they have any thing to do to order the King's Troops. We are sensible it is of ye greatest Importance that his Majesties Fortress at Annapolis Royal should be preserved from falling into ye hands of ye Enemy; as it seems by what Gov. Shirley writes he proposes ye drawing of Bills to defray the charge of ye Armament he intends to send to the Assistance of that Fortress & ye Government are not concern'd in it, so if your Excellency shall think it best to send assistance there at this time & ye Expence can be paid by drawing Bills we hope yor Excellency will think that ye best way.

Sent by Capt. Gage & Chesley who are desired to recommend to ye Govr ye sending of a Number of men to Pennecook to guard ye same & that when ye Genl Assembly should meet, the House would confirm ye Grant. Adjourn'd for 2 Hours.

Post Meredicm.

Met according to adjournment.

Mr. Secretary came down & said his Excellency desired to know ye mind of ye members concerning ye clothing for the Canada Souldiers & that many of them had receiv'd their clothing & many more wanted to receive it. The Secretary also said his Excellency desir'd ye members would prompt Coll Wallingford to buy Pork &c. The Convention immediately took ye foregoing message under consideration & resolved that they would do nothing about ye s^{d} clothing & that they tho't ye vote about Coll. Wallingford buying Pork was sufficient & then ye Secretary was sent for & inform'd of ye foregoing Resolves & then ye Secretary declar'd ye Govr had nothing farther to offer to ye Convention.

[P. 456.] Tuesday March 31st 1747, A. M.

The members not being come in at one o'clock Mr. Secretary came & adjourn'd ye Genl Assembly 'til 3 o'clock.

(1) See Shirley correspondence in this volume, No. 55.—Ed.

(2) See this petition in "Journal of General Assembly."—Ed.

Post Meridiem.

Ten members appear'd & continued together 'til five o'clock & then there not being a Quorum of ye House come to Town ye members present adjourn'd 'til to morrow 9 o'clock.

Wednesday April 1st 1747.

The House met according to adjournment.

Order'd That Mr. Macmurphy & Capt. Jennes go & inform his Excellency that there is a Quorum of the House met.

The Hon^bl Mr. Solly bro't down ye Petition of Danl Lad representing his being at Great charge in inlisting a company of Voluntiers & attending the Genl Court &c.(1) also the Petition of Saml Cummin of Hollis representing y^t the Inhabitants of s^d Hollis are about to build a meeting House &c and praying that ye Non resident Proprietor's Lands may be by an act subjected for five years to pay two Pence new ten^r pr acre for & towards finishing s^d meeting House & support of the ministry(2).

The Honble Mr. Wibird bro't down two Petitions, viz. ye Petition of John Dudley of Epping about a High Way, also ye Petition of ye Parish of Epping praying that ye Lands of ye non resident Proprietors of s^d Epping may be subjected to a Tax for such a Term as ye Genl Assembly shall think proper.

The House adjourn'd 'til 3 o'clock.

[p. 457.] Post Meridiem.

The House met according to adjournment.

Whereas the Treasurers Acc^ts contrary to ye former practice of this Government have not been settled these two years last past by Reason of which 'tis very difficult if not impossible to come at the true state of the Province which lays the Government under great Disadvantage in this Difficult time of War,

(1) Copy of Capt. Ladd's Petition,—from the original.

Province of New Hampshire.

To his Excelency Benning Wentworth, Esqr. Captain Gen'll. Governor and Commander in Chief in and over his Majesties Province of New Hampshire and to the Honourable his Majesties Counsel and the Honourable House of Representatives in Generall Court convened.

The Petition of Daniel Lad of Exeter in said Province most Humbly sheweth that whereas your Petitionor was at a great charge in inlisting a company of Voluntiers to serve my King and Country and attending the Genera Court severall days when I Receved my orders for said Inlisting and for procuring aminition an l other things necessary for said Company and convaying it up to Canterbury (great Part of sa i l Company Liveing in them upper towns) for your Petitioner was obliged to carry two horses for the above sa i l service and lost one of them by that means up there in ye sa i d service; I had one gun also taken from me by the Indians (when they killed Jonathan Bra llee and s ome oth rs of my company) said Bradlee having my Gun with him at that time. Wherefore your Petitioner most humbly Pray that your Excellency and Honours will consider my case and give me something as your Excellency and Honours in your great wisdom shall s e meet and your Petitioner as in duty bound shall ever Pray.

Daniel Lad.

March 31, 1747.

(2) See Saml. Cummins' petition in "Journal of General Assembly."—Ed.

Voted That his Excellency be desired to direct ye Treasurer forthwith to lay his accounts before the Genl Assembly for their immediate Settlement. Sent to the Govr by Mr. Sandburn.

Whereas this House have passed at their several meetings votes desiring that the accounts relating to the Expedition against Louisbourg should be laid before the Genl Assembly in order to be pass'd on & sent to ye agent of this Province at the Court of Great Britain, but as yet the accounts have not been laid before the Genl Assembly,

Voted That ye several Committees forthwith lay their acc^ts^ relating to s^d^ Expedition against Louisbourg before ye Genl Assembly in order for their immediate settlement & Transmission to ye Agent of this Province at ye Court of Great Britain. Sent up by Mr. Sandburn.

Voted That ye hearing of ye Petition for a Bridge over New Market River & ye Stretham Petition be further deferr'd 'til ye second day of ye setting of ye Genl Assembly after ye first Monday in May next.

[p. 458.] Mr. Secretary bro't down ye Printed copy of some Laws of ye Massachusetts relating ye Enlisting & punishing soldiers, also ye Petition of ye Inhabitants of Rochester pray for such a stated Number of men as may be sufficient to protect ye settlement, &c.

The House taking under consideration ye Petition of Saml Cummins in behalf of ye Inhabitants of ye Town of Hollis bro't Down yesterday,

Voted That ye Petitioner be heard on his Petition ye third day of ye setting of ye Genl Assembly after ye first Monday in May next, and that ye Petitioner at his own proper cost advertise ye Publick two or three Weeks successively (between this Day & ye aforesaid third Day of ye setting of ye Genl Assembly) in one of ye Publick News Papers of ye matter of ye Prayer of said Petition that so every one may have opportunity to shew cause if any they have why ye Prayer of s^d^ Petition should not be granted. Sent up by Mr. Macmurphy.

The House taking under consideration ye Petition of the Inhabitants of ye Parish of Epping bro't down yesterday,

Voted That said Petitioners be heard on their Petition ye third day of ye setting of ye Genl Assembly after ye first Monday in May next and that ye Petitioners at their own proper Cost advertise ye publick two or three weeks successively (between this day & ye aforesaid third Day of the setting of ye Genl Assembly) in one of ye publick News Papers of ye matter of ye Prayer of said Petition & this order of Court, that so every one may have opportunity to shew cause if any they have why ye Prayer of the Petition should [not] be granted. Sent up by Mr. Giddinge.

The House adjourn'd 'til to morrow 9 o'clock.

[p. 459.] Thursday April 2d 1747.

The House met according to adjournment.

The House taking under consideration ye Petition of ye East Parish of Kingston concerning a Highway bro't down ye 22d Jany last,

Voted That ye Prayer of ye sd Petition be granted & that ye Petitioner have liberty to bring in a bill accordingly. Sent up by Mr. Sandburn.

Whereas his Excellency the Governour does not think it proper to consent to a vote of both Houses in January last appointing a Committee to settle the affair of a voiage of ye Sloop Speedwell, Philip Reed master —

Voted That the Committee first appointed by the General Assembly by their vote of July 1745 to make the necessary Provisions for ye Transportation of ye French Prisoners of Capitulation from Louisbourg &c be fully impower'd to settle all matters relating to ye sd Sloop Speedwell Philip Reed master which sloop was taken up by ye Government to transport sd Prisoners to France to settle & adjust ye whole affair relating to sd voiage with masters marriners & owners & Insurers in a just & equal manner & to write to John Thomlinson Esq. agent of this Province at ye Court of Great Britain in the affair & forward to him the necessary Papers for recovering any Insurance he may have made on sd vessell for account of ye Government & enquire whether the Bills which were forwarded to him by his Excellency the Governour for ye first charge in supporting & transporting sd Prisoners are paid or not that they finish ye whole matter in ye best manner they can & re-[p. 460.] ceive money out of ye Treasury for discharging what is needful to be paid in said affair & render account of their Proceedings to ye Genl Assembly. Sent up by Capt. Jennes.

The House adjourn'd for two Hours.

Post Meridiem.

The Honble Mr. Husk bro't down ye Petition of Capt. John Goffe & Mr. Saml Cummins pray for men to guard ye Towns of Hollis & Souhegan East.

The Hone Mr. Sheaf bro't down ye Petition of Henry Baldwin, Gentn praying in behalf of ye Inhabitants of ye Town of Pelham yt ye Lands in sd Pelham belonging to nonresident Proprietors may be subjected to pay ye annual Tax of a penny half penny for five years.

Voted That there be allow'd twelve shills & six Pence to James Osgood in full of his account for coffins & other Expences in burying ye five men killed last year at Rumford to be paid out of ye money in ye publick Treasury (1). Sent up by Mr. Leavitt.

The House taking under consideration the Petition of John Dudley praying ye alteration of a High Way in Epping,

(1) See Bouton's Hist. of Concord, p. 166.—Ed.

Voted That the Petitioner be heard on his Petition ye third day of ye setting of ye Genl Assembly after ye first Monday in May next & that ye Petitioner at his own cost put up written Notifications at ye Town House at Exeter & at ye Tavern at Epping informing of ye Prayer of s^d Petition & this order of Court [p. 461.] that any may shew cause if any they have why ye Prayer of ye Petition should not be granted. Sent up by Capt. Leavit.

Whereas Abner Clough who was clerk of a company in ye service of this Government under Capt. Daniel Lad the last year in the Muster Roll y^t was made up was allow'd to have thirty seven shillings pr month Wages but a mistake was made in carrying off ye same so that the sum total of his Wages in s^d Muster Roll amounting to no more than centinels Wages therefore for rectifying the mistake,

Voted, That ye said Abner Clough be allow'd beside what is in ye Muster Roll twenty one shillings to be paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Capt. Leavitt.

The House taking under consideration ye Petition of Henry Baldwin of Pelham Gen^t bro't down this afternoon by ye Hon. Mr. Sheaf,

Voted That ye Petitioner be heard on his Petition ye third Day of ye setting of ye Genl Assembly after ye first Monday in May next & that ye Petitioner at his own proper cost advertise ye publick two or three Weeks successively (between this day & ye aforesaid third Day of ye setting of ye Genl Assembly) in one of ye Publick News Papers of ye matter of ye Prayer of s^d Petition & this order of court that so every one may have opportunity to shew cause if any have why ye Prayer of said Petition should not be granted. Sent up by Mr. Sanburn.

[p. 462.] Voted That there be allow'd Doct. Benj^a Row thirteen shills & nine Pence in full of his acc^t for medicine & attendance administered to John Prescutt son of Joshua Prescutt of Kingston who came home sick from Cape Briton to be paid out of ye money in ye Treasury for Louisbourg Expedition. Sent up by Mr. Sandburn.

Voted That there be allow'd Capt. Jeremiah Clough & the Eleven men under his command at Canterbury from ye 5th of December to ye 4th Jany 16 : 14 : 3 1-2 in full for his Muster Roll for s^d time, to be paid out of ye money in Treasury for Defence of ye Government. Sent up by Mr. Sandburn.

The House adjourn'd til tomorrow 9 o'clock.

Fryday April 3^d 1747, A. M.

The House met according to adjournment.

Voted That his Excellency the Capt Genl be desir'd to give orders for inlisting or impressing one hundred & forty four good

effective men to be employ'd for six months or til ye 20th of Octo^r next if need be under proper officers in Defending the Frontiers Guarding ye People at work & scouting to be posted as follows viz. Thirty at Rochester, six at Barrington, ten at Nottingham, twenty at Canterbury, twenty four at Pennecook, Eight at Souhegan East, six at Hollis, twenty at his Majestys Fort William & Mary including those now there — That Voluntiers be inlisted for ye whole time if it may be done — That impressed men be changed once a month, that the respective Towns or Garrisons where ye said soldiers are quartered supply them with good & suitable Pro- [p. 463.] visions, victuals & Drink while they are in ye service & be allow'd & paid therefor at the Rate of ten Pence half Penny pr Day, & if Notingham Barrington & Rochester are not able to supply the men allow'd them that Provisions be lodg'd by the Treasurer in the Hands of John Gage Esq. to supply the Rochester & Barrington soldiers & in the Hands of Peter Gilman Esq. at Exeter to supply ye Notingham soldiers & that ye soldiers take Provisions from those Gentlemen to carry them to the respective Places where they are to be posted that the men at his Majesties Fort William & Mary be supply'd with Provisions by the Treasurer. Sent up by Capt. Gilman.

Soon after ye foregoing vote was sent up it was bro't Down again by the Honble Messrs Solly & Sheaf who said his Excellency desired a Part of s^d vote might be alter'd, for that he tho't it impossible to get men for one month & desir'd ye House would think of some other method & then

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

The House took his Excellency's message of ye forenoon by Messrs. Solly & Sheaf recommending an alteration in ye vote for soldiers under consideration & after debate thereon had it was

Voted That ye House adhere to their former vote & ordered that Mr. Sandburn & Mr. Giddinge carry up ye aforesaid vote & inform ye Board accordingly.

Voted That ye Muster Roll of five men at Capt. Cate's Garrison fifteen Days in July & August last amounting to four Pounds be allowed & paid out of ye money in ye Treasury for Defence of ye Government. Sent up by Mr. Macmurphy.

[p. 464.] The House adjourn'd for a Quarter of an Hour, and met again according to adjournment. The Hon^b Mr. Wibird bro't down again ye vote for granting men to guard the Frontiers &c. and said his Excellency desir'd ye House would again reconsider s^d vote for that ye shifting s^d men so often as once a month would give him so much Trouble that he cannot consent to s^d vote as it now stands.

As the safe keeping of the publick Records in this Province is of great importance to all Persons,

Voted That in case of an Invasion or any attack from an Enemy or any extraordinary occasion that may indanger the safety of said Records that then ye Committee appointed to take care of the Records in case of ye Death or Incapacity of ye Recorder, ye major part of them with the Recorder be impower'd to remove said Records out of ye Town of Portsm^o or within s^d Town to such place as they shall think will be most safe to keep them til the Danger is over. Sent up by Mr. Sandburn.

The House adjourn'd 'til tomorrow 9 o'clock.

Saturday April 4th 1747, A. M.

The House met according to adjournment.

A Bill for ye removal & Exchange of a certain highway in Kingston being read three times Voted That it pass to be Enacted. Sent up by Mr. Sandburn.

[p. 465.] Whereas there are many complaints made by the soldiers who went in ye late Expedition against Louisbourg that Part of their Wages and other allowances made by ye Genl Assembly are kept Back,

Voted That ye Hon^b Eben^r Stevens Esq. & Mr. Henry Sherburn jun^r be a comittee of this House to join such as may be appointed by ye Hon^b Council to examine & Enquire into that matter carefully & strictly & that all ye soldiers Rec^ts & other Papers be laid before said committee that this be done as soon as may be & the Committee make Report of their doings to the Genl Assembly. Sent up by Capt. Jennes.

The House again took under consideration ye vote for granting men to guard &c & again

Voted That they adhere to said Vote.

Order'd That Capt. Jennes go up to ye Council & ask leave to withdraw ye Bill sent up this forenoon for ye removal or Exchange of a certain High Way in Kingston & soon after Mr. Secretary bro't said Bill into ye House.

Voted That an answer (a copy whereof is on file) be sent to the Honble Geo. Jaffrey Esq. in answer to his Letter to ye House yesterday.

[Letter of Hon. Geo. Jaffrey, copied from MS. Corr. in Secretary's Office, Vol. 2, p. 7.]

Mr. Speaker & the Honble Houses of Representatives now sitting,

His Excellency the Govern^r this afternoon sent me the vote of ye Honble House of ye 1st Inst. complaining that contrary to former Practice I had neglected to Lay the Treasurers acc^t before the Genl Assembly for two years Past which is such an opprobrious Reflection on me which in Honour to truth and myself I can't but Resent. The account for the year 1744 has been settled by a comittee of Councill & Assembly approved of by the Genl Assembly & signed by the Governour as usuall. The acco^t for the year 1745 was lay'd before the Genl Assembly and a comittee appointed who Did ex-

amine it (I think in May last) as will appear by their marks upon it, and the Reason they did not settle it was (as I understood) some of the Leaders of scouts had not accounted for the Provisions they had Rec'd. I can't apprehend how the Honble House can with Justice Reflect upon me for two years neglect. The account for the year 1746 is now Ready for the Examination of a Comitte which I desire may be forthwith Done that the State of the Treasury may be known. My health dos not now admitt of my waiting on them, which I hope they will Excuse, and am, with greatest Respect, yor most obed^{t} Humb^{l} Servt.

Geo. Jaffrey.

Portsm^{o}, Apr. 3^{d} 1747.

[Answer of the House to the Letter of Hon. Geo. Jaffrey Esq. Treas. copied from MS. Corr. in Secretary's office, Vol. 2, p. 9.]

Tuesday 4th of April.

Sir:—We have your Letter of yesterday Before us in which you inform us that you have had the House's vote of the first Ins^{t} sent to you Respecting the Treasurers Accounts being laid before the House which you say is such an opprobrious Reflection on you that in Honour to truth and your self you can't but Resent. We think we have much greater Reason to Resent your letter and Believe the House was never treated so by any officer in the Government before,—and to see who is in the Right we desire you once more to Read over ye s^{d} vote & your Letter: The Introduction to the vote says—Whereas the Treasurer's acco^{ts} (contrary to the former practice of this Governm^{t}) have not been settled this two years last past, By reason of which &c. Now Sir please to tell us wherein any Reflection lies or what is inconsistent with truth. Are the Treasurer's acc^{ts} for this two years last past settled, which is the thing we said was not done and what we wanted the acco^{ts} for in order to have done and think we have a Right to call for them and have them bro't into the House, let who will be offended. Indeed in your letter you Express the introduction of the vote as complaining that contrary to former practice you had neglected to lay ye Treasurer's acco^{ts} before ye Genl Assem. for two years past. But how you came to make this Representation of our vote for which there is no foundation in ye vote, & then to speak of it as so opprobrious we can't tell. You tell us y^{t} ye acco^{ts} for ye year 1744 are settled & y^{t} Comt^{ees} have been upon the other &c. But what Relation has this to the vote & who says any thing to the contrary? But ye acc^{ts} for this two years past are not settled & it is high time they were. And we expect when we call for the acco^{ts} that you forthwith lay them before ye House.

To the Hon^{l} Geo. Jaffrey Esq.

Mr. Secretary came into ye House & said he was directed by his Excellency to adjourn ye Genl Assembly to Tuesday ye 14 Instant & then declar'd ye Court adjourn'd to said time accordingly.

April 14th 1747.

The speaker not being present nor a Quorum of ye House, Mr. Secretary came into ye House & said he was directed by ye Govern^{r} to adjourn ye Genl Assembly 'til Thursday of ye 23^{d} Instant & then declar'd ye Court adjourn'd to s^{d} Time accordingly.

[P. 466.] Thursday April 23d 1747.

The Speaker with some of ye members met according to adjournment & between twelve & one ye Secretary came down & said he was directed by his Excellency to inform ye House that he had adjourn'd ye Genl Assembly 'til Tuesday ye 5th May next & then to meet at ten o'clock A. M. & then in his Majesties Name declar'd ye Court adjourn'd to said Time accordingly.

Tuesday 5th May 1747.

Mr. Speaker & some of ye members met according to adjournment. Mr. Secretary came into ye House & said he was directed by his Excellency to inform ye House that he had adjourn'd ye Genl Assembly to Tuesday ye 12th instant at ten o'clock A. M. & then in his Majesties name declar'd ye Court adjourn'd accordingly.

Tuesday 12th May 1747 A. M.

A Quorum of ye House not being met the members adjourn'd 'til 3 o'clock.

Post Meridiem.

There being no Quorum at half an hour after five the members adjourn'd 'til tomorrow 9 o'clock.

Wednesday May 13th 1747.

The House met according to adjournment.

Order'd That Messrs Jennes & Chesley go & inform his Excel- [P. 467.] lency that there is a Quorum of ye House met who return'd that they had inform'd his Excellency & that his Excellency said he had nothing new to offer.

Mr. Secretary bro't down ye Petition of Moses Foster &c. of Suncook for soldiers, and said he was directed to lay before ye House a Letter which he had receiv'd from Majr Davis of 18th April 1747 (1).

The House then adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Order'd That a Precept be issued to ye town of Newington for ye choice of a Representative in ye Room of Capt. John Nutter deceas'd.

(1) This letter not now to be found.—Ed.

The House taking under consideration ye Petition of Moses Foster &c. of Suncook for soldiers &c.,

Voted That his Excellency be desired to give orders for inlisting or impressing eight good effective men to be imploy'd 'til ye twentyeth of Octob^r if need be under a proper officer to be posted at Suncook for Defending ye Frontiers & guarding ye People at Work & that s^d men be exchang'd once pr month. Sent up by Mr. Macmurphy.

Mr. Secretary bro't down the Petitions of Monson (1), Souhegan West & Gosport for soldiers Guns &c. &c.

This being ye day appointed for hearing ye Petitions for a Bridge over Exeter River ye Parties being called & heard by their attorneys & sundry Pleas & Arguments on ye side of ye opponents Mr. Parker attorney for ye Petitioners pray'd leave to lay [P. 468.] before ye House an answer in writing; after some Debate thereon had ye aforesaid Request was granted & ye Parties orderd to attend at 9 o'clock tomorrow morning, & then ye House adjourn'd 'til tomorrow 9 o'clock.

Thursday May 14th 1747 A. M.

The House met according to adjournment.

Voted That Doc^r John Ross be allow'd forty six shills. in full of his account for medicine & attendance for Edwd Hopkins a volunteer on ye Expedition against Louisbourg to be paid out of ye money in Treasury for ye use of s^d Expedition. Sent up by Capt. Jenness.

Whereas the Encouragement already given for scouting after ye Indian Enemy has been found ineffectual, therefore,

Voted That there be & hereby is granted to be paid out of ye Province Treasury the sum of four Hundred Pounds for each Indian killed & scalp produced to ye Governour & Council in Evidence & for each Indian Captive taken Westward of Nova Scotia within six months from this time by any scouting Party of ye Inhabitants of this Province that shall go with Permission or Warrant from ye Governour or Commander in Chief for ye time being

(2) *Monson.* According to the original charter, April 1, 1746, the town of Monson was laid off and bounded as follows: "Beginning at the line of Dunstable old Town four miles & one hundred & forty rods north by the magnet of the Nor hern Boundary line of the Province of the Massachusetts Bay, then South eighty degrees East to Muddy Brook, then by that brook to Penichuck Pond, & from the North End of sd Pond north by the magnet to Souhegan river, then by the sd river to the head Line on the West side of old Dunstable, thence south by the magnet on that Line to the place where it began." [*See Char. Rec. in Secy's office, Vol. I, pp.* 25 & 30.]

In July 4, 1770, upon Petition of the Inhabitants of Monson, the said town, which lay between Hollis and Amherst was divided, and set off respectively to those towns, as follows: viz. "Beginning at the North east corner of said Town of Monson, then extending South by the town of Merrimack two miles, then West, to the West line of said Monson, then North to Souhegan river, then down said River to the bounds first mentioned, be annexed to the town of Amherst; and that the remainder of said Monson be annexed to the town of Hollis; And the Inhabitants aforesaid according to the above division shall be held & deemed as part of the body politic of said Towns respectively."—[*See Char. Rec. Vol. I, p* 373.]—Ed.

for that purpose as volunteers, & who shall go out at their own Expence on that service, the money to be equally divided between ye Persons concerned without respect to office.

[P. 469.] Voted also That ye sum of one Hundred Pounds be allowed to any soldier or Party of soldiers in ye Pay of this Prov. who shall within that time captivate or kill any Indian, producing ye scalp as aforesaid & to any other Person or Persons of this Government that shall do ye same in his own Defence or in ye Defence of any of his Majesties subjects of this Province—and all former Grants of this nature heretofore passed by this Court are hereby superseded & set aside. Sent up by Capt. Jennes.

Mr. Secretary bro't down ye Petition of Elliot Vaughan &c. for Division of Land, & also ye Petition of Spencer Colby a volunteir in ye Expedition ag^st Louisbourg praying for allowance for Pilots Wages, &c.

The Petitioners & antipetitioners for a Bridge over Exeter River agreeable to ye order of ye House of last night were called & being fully heard by their Attorneys & ye Court being clear'd ye House proceeded in ye affair & after Debate thereon had whether ye Petitions should be dismiss'd or not it was

Voted That ye s^d Petitions for said Bridge should not be dismiss'd & then

Voted That ye Petitioners have Liberty at their own cost to build a Draw bridge over Exeter River for ye publick use ye Bridge to be built in ye most convenient manner y^t may be for passing of Vessels Rafts or other things and at that Place that shall be tho't most convenient by a Com^tee to be sent for ye Purpose & maintain'd at ye Petitioners cost, said Comm^tee to go & view ye circumstances & make Report to ye Genl Assembly as soon as may be; that Richd Jennes Esq. Capt. Jonath^n Chesley & Mr. Joseph Wadleigh of Kensington be ye Comm^tee to join such as shall be appointed by ye Honble Council to go at ye Petitioners cost for this Purpose & that ye Petitioners have Liberty to bring in a Bill accordingly.

The House then adjourn'd til to morrow 8 o'clock. Sent up by Capt. Jennes.

[P. 470.] Fryday 15th May 1747.

The House met according to adjournment.

The Petition of sundry of ye Inhabitants of the Town of Stratham praying they may be excused from paying any thing towards ye support of ye Rev'd Mr. Joseph Adams &c. being read & ye Parties partly heard by their Council some Proposals of agreement between them being [made] & there being a great Prospect of an agreement,

Order'd That ye farther & final hearing & determining s^d matter be deferred 'til ye 2^d Day of ye setting of the Genl Assembly after

ye 15th June next to give the Parties opportunity of agreeing if it may be (1).

Mr. Secretary bro't down the Petition of Isaac Hanson for soldiers, also ye memorial of Ann Frost praying for an allowance for entertaining forty two of Thomas Pickerins men.

The House took under consideration ye Petition of Saml Cummins on behalf of Hollis praying for a Tax on ye Land of s^d Hollis for some four years. After Debate had thereon it was

Voted That the Prayer of ye Petition be granted for four years & that the Petitioners have liberty to bring in a Bill accordingly. Sent up by Mr. Macmurphy.

The House took under consideration ye Petition of Henry Baldwin Gent^n on behalf of ye Town of Pelham & after Debate it was

Voted That all ye Land residents as well as non residents of s^d Pelham be subjected to a Tax of a Penny half penny for five years next ensuing & that a Collector or Collectors be impower'd to collect ye same accordingly. Sent up by Mr. Macmurphy.

[p. 471.] The House adjourn'd for two Hours.

Post Meridiem 1747.

The House met according to adjournment.

Voted, That in answer to ye Petition of ye Inhabitants of Gosport they be allow'd fifteen Pounds to purchase ammunition, the money to be paid to ye select men of s^d Gosport for ye use of s^d Town out of ye publick Treasury. Sent up by J. Sandburn Esq.

The House took under consideration ye Petition of Souhegan West & Monson bro't down 13th Instant & in answer to s^d Petition

Voted That his Excellency be desired to give orders for inlisting or impressing fifteen good effective men to scout & guard (under proper office & officers), s^d Souhegan West & Monson 'til ye twentyeth of Octr next if need be & that s^d men be shifted once a month. Sent up by Jo^n Sandburn Esq.

Whereas Notification has been given to any that had any thing to object to an act being past relating to a high way in Kingston y^t they might have opportunity, & no person appearing order'd that Mr. Weare & Mr. Macmurphy go up to ye Council & desire that s^d act may be compleated it having been stayed 'til now by ye Desire of ye House of ye 4th April last to see if any objection would be made against it.

The House taking under consideration ye Petition of ye Inhabitants of Epping & thereupon,

[p. 472.] Voted That all ye Lands within s^d Town be by an act subjected to a Tax of one penny a acre pr annum for & towards ye Building a Meeting-House & setling of a Minister & that

(1) See notice of the troubles in Stratham, in "Journal of General Assembly," of date Dec. 3, 1746.—Ed.

a Collector or Collectors be impower'd to gather ye same & that ye Petitioners have liberty to bring a Bill accordingly. Sent up by . . . . . .

The House adjourn'd 'til tomorrow 9 o'clock.

Saturday 16th May 1747 A. M.

The House met according to adjour^t.

Mr. Secretary bro't Down ye votes of ye 14th instant for taxing ye Lands of Pelham & Holles for an amendment ye House took the same under consideration & farther

Voted, That ye Inhabitants of s^d Holles & Pelham make it appear by an account to be render'd annually to ye Genl Assembly that ye money has been apply'd for finishing the Meeting Houses & support of ye ministry. Sent up by Mr. Macmurphy.

Voted That the Muster Roll of John Webster & twenty four men under his command guarding & scouting at Pennicook &c. two months from ye 14th March last to ye 10th May instant amounting to one hundred & thirty nine Pounds ten shillings for wages & Provisions be allow'd & pay'd out of ye money in ye publick Treasury.

Mem^o. The above scout was employ'd before ye Grant for ye one Hundred & forty-four men.

[P. 473.] Whereas the allowance of Eighteen Pence pr month for ammunition for each soldier going out in the service of this Government for Defence of ye Frontiers is found not sufficient & an Inconveniency is found in their not having it at the time of their going out therefore

Voted That there be allow'd to each officer & soldier of the men granted the present year that shall go out in the service of this Government in scouting & guarding ye frontiers two shillings & six pence pr month to supply them with Powder & Bullets the money to be paid by ye Treasurer to ye officer that shall go out with them at the Time of their going out & the officer to take care y^t every man be supply'd with Powder & Bullets accordingly upon Pain of refunding ye same. Sent up by Mr. Macmurphy.

Mr. Secretary & Mr. Sheafe came down with a message from his Excellency about excusing some ships of Mr. Thomlinson's now in this Harbour from paying Powder money — whereupon it was

Voted unanimously that ye Interest of John Thomlinson Esq. (agent of this Prov. at ye Court of Great Britain) in shipping now in this Harbour be excused this present voiage from paying Powder money & that ye Interest be proved before his Excellency ye Governour & ye Honble Council by ye oaths of the masters or other Persons of Credit. Sent up by Mr. Macmurphy.

[P. 474.] Mr. Secretary came into ye House & said he was di-

rected by his Excellency ye Governour to inform the House that he had adjourn'd ye Genl Assembly 'til Monday 12 o'clock, & then to meet at Portsm^o^ & then Mr. Secretary in his Majesties name declared ye Court adjourn'd to said Time accordingly.

Monday May 18th 1747.

The House did not meet til 3 o'clock & then there not being a quorum about five o'clock the members adjourn'd til to morrow nine o'clock.

Tuesday May 19th 1747 A. M.

Mr. Secretary Bro't Down his Excellency Written message to ye House, which is on file, also a copy of his Excell^ys^ orders to ye Respective Persons that by virtue of their Beating to raise Levies for Canada Expedition rec^d^ money out of ye Treasury for paying the Bounty granted by ye Government to such as should voluntarily inlist into his Majesties service for said Expedition. Mr. Secretary Bro't down also ye Petition of David and Richd Elliot &c.

His Excellency's Message.

[Copied from MS. "Governor's Messages," in Secretary's office, Vol. I, p. 441.]

Gentlemen of the Assembly,

I think it for his Majestys Immediate service to recommend to you once more the passing an act for punishing mutiny & desertion in the Kings troops raised in this Government for the Expedition against Canada, there being no Act of Parliament nor Provincial Law that will effectually answer that End—in which Act it will be essential to have a clause inserted for the speedy assembling those troops on the first occasion, & for subjecting such others as are or may be *born* in the Kings pay or other services to regular discipline.

For want of wholsome Laws to punish offenders in military form, & from the Insinuations of evil minded persons, which the unthinking part of his Majesty's Troops were easily prevail'd upon to receive, my good intentions in Erecting Strong Barracks at Winnepisiocke pond were defeated (1), and many other advantageous designs for the publick good, wholly set aside.

Every one that wishes the prosperity of the Province & will Judge Impartially of things must confess that the Erecting such Barracks in the Enemy's country (& probably without any Expence to the Government) would have been a great cover to the Frontiers which now lay open to the Enemy, That they would have been an advanced magazine to your scouts & Companys of Volunteers, That they would have been a safe retreat to them in their marches, upon discovering a Superiour number of the Enemy, That your frontiers would have been protected at less expence, and the Enemy deter'd from making frequent attempts below.

These are public benefits too great to loose, and they should not have been lost, had it been in my power to have prevented it.

The fascine Battery at his Majestys Fort William & Mary requires a great deal of labor to make it usefull & fit for service, and upon your passing an act to enable my officers to bear a proper command, I shall imploy a suitable

(1) See Thomlinson Corr., No. 60, dated Nov. 13, 1746, in this Vol.—Ed.

number of the Canada men while they are under my care to complete that work.

The grant of men made by the General Assembly for the Kings Fort, was included and many other Grants, which at that time I tho't necessary, for which reason I consented to it. But I must now once more recommend to you to make an Establishment of officers as well as men at least for the summer season. The Fort I look upon as the grand frontier of the Government, and Forts without a sufficient Establishment of officers, let there be ever so many men, are in as great danger of being lost to the Enemy as marriners at sea without a compass to direct them to their port.

I esteem it also for the safety of the Government that compleat Barracks should be forthwith Erected at said Fort for accommodating at least one hundred men, to be ready upon any emergence; the works that are at present will serve only to accommodate those that are upon guard.

The two vessells I sent to Annapolis in November last to reinforce his Majesties Garrison are safely return'd, and I must observe to you that I always intended the charge of those vessells & the troops imbarked on them should be paid by the Crown, but as what has hitherto passed has been conducted by the Com^tee appointed by the Genl Assembly to provide for the Canada Expedition, who I have directed to keep a separate account of the charges arising on the Annapolis affair, so I must desire that you will provide for the discharge of the whole as well for the vessells as Seamen, it being highly reasonable they should be both paid, and the amount of the account shall be discharged to the Government, as soon as I have orders to draw for the same, which I am hourly expecting.

The Secretary will lay before you a copy of my orders to the respective persons that have been raising men for the Canada Expedition to account with the Treasurer for the sums they have received of him for paying the bounty allow'd by the Government, and if there should be any that either refuse to obey this order, or have misaplied the money so rec^d by them, it is of importance that you enable the Treasurer in a short way to compell them to it, that the Expence may be known with certainty.

Gentlemen,

The duty I owe to his Majesty obliges me to recommend these things I have now mentioned, & to press upon you a speedy resolution on the whole, haveing some other things that appertain to this session to lay before you.

B. WENTWORTH.

Council Chamber in
Portsmouth, May 19th 1747.

Post Meridiem.

As the Government is now at great expense on many accounts & many large sums are already voted & more wanting & the state of ye Treasury is not known the accounts not having been settled for some time past so that grants for Payments of money on many accounts seem to be at uncertainties whether there be any money to answer them or not so that in order to know what measures are proper to take in this difficult time the House think it needful in ye first Place to know ye state of the Treasury, therefore

[P. 475.] Voted That his Excellency be desired to direct the Treasurer forthwith to lay his accounts before ye House. Sent up by Capt. Leavit.

Mr. Secretary bro't into ye House ye Treasurer's Account for ye year 1745 & said ye Treasurer was lame & desired him to inform ye House y^t if they would strike ye balance of ye account for ye year 1745 that he may carry ye Ballance to ye next account as

soon as that is done he will be ready immediately to lay ye acc^t for ye year 1746 before ye House.

After perusing ye above mention'd acc^t for ye year 1745,

Order'd That Mr Weare carry up ye s^d acc^t to have ye Blanks in said account filled up & to inform ye Treasurer that ye House desired to have ye account for ye year 1746 & ye Louisbourg Acc^t all before them at ye same time.

The House adjourn'd till tomorrow 9 o'clock.

Wednesday May 20th 1747 A. M.

The House met according to adjournment.

Ensign John Knight came into ye House and the Sheriff return'd ye precept for choice of a Representative for Newington in ye Room of Capt John Nutter Dec'd & by said Return it appears that s^d Ensign John Knight was elected.

Order^d That Maj^r Davis & Capt Bell go & inform his Excellency of ye s^d Return & desire that s^d Knight might be qualify'd who returned that they had deliver'd their message.

Mr. Secretary and ye Honble Mr. Sheaf came into ye House & Mr. Secretary said they were directed by his Excellency to qualify ye member return'd instead of Capt. J^n Nutter Dec'd which was done accordingly & then Mr. Secretary & Sheaf withdrew & then Mr. Speaker wished Mr. Knight—Joy.

[P. 476.] Voted unanimously That John Thomlinson Esq Agent of this Province at ye Court of Great Britain be & hereby is intitled to all ye Priviledges, Immunities & advantages that any of ye subjects or Inhabitants of this Province are or as tho' he the said John Thomlinson did actually reside within ye limits of this Province for & during ye continuance of his ye said John Thomlinson's agency as aforesaid. Sent up by Capt. Gilman & Mr. Knight.

The House took under consideration ye Petition of Hunking Wentworth Esq. Elliot Vaughan &c bro't down ye 14th Instant praying for Power by a Law to divide Land &c. &

Voted That s^d Petitioners be heard on their Petition ye second Day of ye setting of ye Genl Assembly after ye first Day of July next & that ye Petitioners at their own cost advertise ye publick two or three weeks successively between this & ye aforesaid first day of July (in the *Post Boy* & *Evening Post* News Papers so called) of ye Prayer of ye s^d Petition that any one may shew cause if any there be why the prayer of ye Petition should not be granted. Sent up by Maj^r Davis.

The House took under consideration ye Petition of David & Richard Elliot & after reading ye said Petition ye House order'd that Benj^a Miller guardian to the same David & Richard be sent for who accordingly came into ye House & ye House inform'd s^d

Miller y^t ye s^d Petitioners had pray'd that they (being minors) might be impower'd to sell their Land &c. S^d Miller said he tho't it might be of advantage if s^d Petitioners could be impowered as aforesaid, but ye House after debating on ye Premises,

Voted That the s^d Petition should be dismiss'd.

Mr. Parker came into ye House & moved for an augmentation of ye Tax upon ye lands in Epping.

The House adjourn'd til tomorrow 9 o'clock.

[P. 477.] Thursday 21st May 1747 A. M.

The House met according to adjournment.

As the Barracks already at his Majesties Fort William & Mary are not sufficient to accommodate such a number of men as may be necessary to be there upon an Emergency & that there may be some accommodation for such men

Voted That a Building be erected at s^d Fort by ye Committee for taking care of ye Repairs of s^d Fort that will serve for Barracks to accommodate sixty men that may be called there upon an Emergency ye Cost to be paid out of ye Interest of y^e £25000 Loan appropriated for the Repairs of s^d Fort. Sent up by Maj. Davis.

Whereas there was a vote pass'd ye 15th Instant for subjecting all the Lands of Epping to a Tax of one Penny a acre p^r Annum for four years next ensuing & Whereas ye Inhabitants of s^d Epping by their agent & their Attorney have moved & solicited for an augmentation of s^d Tax of one Penny more a acre p^r Annum It is

Voted That instead of one Penny p^r acre the Land of said Epping be subjected to a tax of two Pence a acre p^r Annum for four years next ensuing for & towards ye Building a Meeting House & settling a minister, & y^t ye Inhabitants of s^d Epping make it appear by an account to be render'd annually to ye Genl Assembly that ye money has been apply'd for ye uses aforesaid on pain of refunding ye same, & that a Collector or Collectors be impower'd to gather ye same & that ye Petitioners have Liberty to bring in a Bill accordingly. Sent up by Capt. Chesley.

Mr. Secretary bro't down an Extract from Col. Stoddard's Letter to his Excellency Govr Shirley dated Northampton May 18th 1747. Also Govr Shirley's Letter to his Excellency Govr Wentworth dated May 17th 1747, both which recommend the encouraging ye six Nations of Indians to go to war against ye French & Indian Enemies (1).

[P. 478.] Whereas the safety of this Province in a great measure depends on the strength of his Majesties Fort William

(1) See the abovesaid documents in "Journal of the General Assembly," of correspondent date.—ED.

& Mary, & it being necessary that a sufficient Number of men skilfull in the management of the great artillery should be always ready there, It is therefore

Voted That such of the Inhabitants of the Towns of Portsm° & Rye who are by Law subject to common Musters & Military Exercises there as are willing to be enlisted into the service aforesaid shall be enlisted not exceeding the number of forty in ye whole under such officers as the Capt. General shall commissionate who shall repair to Fort William & Mary ten Days in a year in such months as the Capt. General shall order & shall on the said Days be by the Gunner & Quarter Gunner exercis'd in the mounting dismounting levelling traversing & firing the great Guns & shall be oblig'd hereunto & the observance of such orders as shall be given them in this exercise under the like Pains & Penalties that soldiers are under to obey their officers in said Fort in Time of service. And it is further Voted That if any of the men enlisted as aforesaid shall neglect, absent *absent* or refuse to attend at Time & Place for the Exercise of ye great Artillery as afores^d, being thereof notifyed & warned to appear, for every such Days Neglect, such soldier shall pay to the Clerk of ye s^d company for the use thereof, the sum of Five Shillings, and It is further Voted That such officers & soldiers be allowed Subsistance as the officers & soldiers have during their service at said Fort.

[p. 479.] And for the Encouragement of the said men enlisted & exercised as aforesaid & that they may be expert in the management of the Great Artillery, It is further Voted That all & every man shall be excused from all other military service & from all Impresses into other services that other soldiers by Law are liable to—and it is further, Voted That upon any alarm at Fort William & Mary all the men enlisted by virtue of this act shall forthwith appear compleat with their arms & ammunition according to Law at the s^d Fort Wm & Mary there to attend & follow such commands as shall be given for his Majesties service & that on the Penalty of paying five Pounds each man for non attendance as aforesaid to the clerk of the said company for the use thereof the said Fine to be recover'd before any Justice of the Peace or Court proper to hear & try the same.

This vote to continue & be in Force until the twenty first Day of May next & no longer. Sent up by Mr. Macmurphy. Then adjourn'd for two hours.

Post Meridiem.

The House met according to adjournment.

Voted That there be allow'd seven shills to John Grow in full of his going Express to Dover & Durham last Fall to be p^d out of ye publick Treasury. Sent up by Capt. Chesley.

Voted, That the acc^t of Eliz^a Wilkinson for attendance & Dyet for Jo. Downing be dismiss'd.

Voted That Fran^s Lock's muster Roll of nineteen men two

Days at Fort Willm & Mary mounting ye Guns amounting to four Pounds fifteen shillings & six pence be allow'd & paid out of ye publick Treasury. Sent up by Capt Chesley.

[p. 480.] Voted That Thos. Bell's Esq. acc^{t} for sundrys advanced for Fort William & Mary amounting to nineteen Pounds seventeen shillings & seven Pence half penny in full be allow'd & paid out of ye money in publick Treasury. Sent up by Capt Chesley.

Voted That the muster Roll of James Guppy & nineteen men under his command at Rochester last September amounting to Nine Pounds fourteen shillings & six Pence in full be allow'd & paid out of ye publick Treasury. Sent up by Capt. Chesley.

The House took under consideration ye Petition of Josiah Cummings on Behalf of ye Free Holders & Inhabitants of ye Town of Notingham West representing some illegal Practices in their Town meeting held ye 9th March last & Praying y^{t} ye s^{d} meeting may be declar'd void.

Voted That ye Petitioner be heard on his Petition ye second Day of ye setting of ye Genl Assembly after ye tenth of June next & that ye Petitioner at his own cost serve ye moderator of s^{d} meeting & ye select men of s^{d} Town with a copy of s^{d} Petition & this order of Court that he may shew cause if any they have why the Prayer of ye Petition should not be granted. Sent up by Capt. Chesley.

The House adjourn'd til tomorrow 9 o'clock.

Fryday 22^{d} May 1747, A. M.

The House met according to adjournment.

Whereas the engaging the Six Nations of Indians to be our Friends in this difficult season & also the engaging them to go [p. 481.] to War against our Enemies would be of vast Importance, and whereas it appears by a Letter laid before this House by his Excellency ye Governour from Govr Shirley with an Extract of a Letter from Coll. Stoddard that those Nations are generally spirited to engage on our side & to go to War against our Enemies — and Whereas this House is disposed to do all they can under their present difficult circumstances to promote an affair which may prove of great advantage to the Governments in General — and whereas Coll. Johnson & Mr. Lydius have taken a great Deal of pains to engage these nations of Indians on our side & have been at great Expence for that End & are now in want of money further to Encourage the s^{d} Nations & fit them out for going to War against our s^{d} Enemies,

Voted That there be paid out of ye money in ye Treasury to the order of Coll Johnson & Mr. John Lydius ye sum of two Hundred & fifty Pounds by them to be expended as far as s^{d} sum will go in fitting out such a Number of these Nations of Indians

as may appear for that End, to go to War against our said Enemies & that his Excellency the Governour be desired to forward advices hereof & at the same time compliment those Nations of Indians in ye Name of this Government & thank them for their services already done & shew them how desirous this Government is of securing their Friendship. Sent up by Mr. Giddings.

Richd Jennes & John Sandburn Esqs. & Capt Isr. Gilman desires Leave to enter their Dissent to ye foregoing vote.

The House adjourn'd for two Hours.

[p. 482.] Post Meridiem 1747.

The House met according to adjournment.

Voted That the ball^ce of Coll Peter Gilman's acc^t for Billeting ye soldiers amounting to two Hundred & twenty eight Pounds fourteen shills in full be allow'd & paid out of ye money in ye publick Treasury. Sent up by Capt. Levit.

Voted That ye acc^t of Thos Bell Esq. for sundries advanced to ye voluntiers y^t built ye Fascine and other Batteries at New Castle amounting to one Hundred thirty nine Pounds seventeen shills & three Pence three farthing be allow'd & paid out of ye money in ye publick Treasury. Sent up by Capt. Leavit.

The House adjourn'd til tomorrow 9 o'clock.

Saturday 23 May 1747.

The House met according to adjournment.

Mr. Secretary bro't down ye vote of yesterday for two hundred Pounds (1) to be pd to Coll Johnson & Mr. Lydius & said ye Council tho't ye sum two small & desir'd an addition & that ye Council tho't ye following ought to be added for ye reasons he then gave—therefore in addition to s^d vote it is

Voted That in case this Province should hereafter come into any agreement with his Majesties other Governments to be at a proportionable charge in encouraging ye s^d six Nations to prosecute the War that then the s^d sum shall be deemed as so much advanced on such acc^t. Sent up by . . . . .

[p. 483.] Whereas there was no Determination of ye value of the Bills of Credit of this Province for several years which pursuant to an Act of the Province made in ye 15th year of his present Majestys Reign ought to have been yearly & whereas the success of ye solicitations of this Province's agent for a Reinbursement of ye charge of the late Expedition ag^st Louisbourg & her Majesties Repaying the charges this Province has been at upon acc^t of the intended Expedition ag^st Canada may very much effect the value of s^d Bills both which we are in Expectation of & whereas the

(1) Two hundred and fifty Pounds?—Ed.

last Determination may be very hurtful & pernicious, to prevent all Doubts & Inconveniences which might otherwise arise,

Voted That the last Determination made by an order of ye Judges of the Superiour Court dated March ye 9th 1746 be & hereby is declared void & of no effect & therefore order'd that the Justices of the several Courts of Judicature within this Province be & are hereby directed in making up Judgments at any time before ye first Day of May 1749 to observe & govern themselves by the Determination first made by order of the Judges of the Superiour Court in Feby 1742 & no otherwise. Sent up by Coll Wallingford.

Order'd That ye Committee of War for ye Expedition ag^st^ Louisbourg forthwith meet & without any ye least further delay finish the acc^ts^ relating s^d^ Expedition & lay them before ye House.

[P. 484.] Mr. Secretary came down & s^d^ he was directed by his Excellency to inform the House that he had adjourn'd the Genl Assembly 'til Tuesday next at ten o'clock.

Tuesday May 26th 1747.

There not being a Quorum of ye House come in *Mr. Secretary adjourn'd* ye Court 'til 3 o'clock P. M.

Post Meridiem.

The House met according to adjournment.

Lieut Daniels was sent for into ye House & examined concerning his conduct & manner of being taken last Winter at ye River of St. John's & then s^d^ Daniels withdrew & ye House adjourn'd 'til to morrow 9 o'clock.

Wednesday May 27th 1747.

The House met according to adjournment.

The House took under consideration ye Petition of Sarah Jackson, widow of Eben^r^ Jackson, representing her Husband's being killed at ye siege of Louisbourg & bro't down ye 3^d^ Decr last.

The House took under consideration ye Petition of Bradbury Green Benj^a^ Cram Joshua Gilman Benj^a^ Tilton Nathan Row Dan Ward Hen Moulton representing their being charg'd with Guns in Capt. Prescots Company which they never had & praying an allowance for said Guns.

Voted That each of ye Petitioners be allow'd fifty shillings in full for s^d^ Guns & be pd out of ye money in ye Treasury for ye use of ye Expedition ag^st^ Louisbourg. Sent up by Capt. Gage.

[P. 485.] Voted That John Dam be allow'd seven shills & six Pence in full for his Horse being press'd to Newbury to be paid

out of ye money for ye Expedition ag^st Canada. Sent up by Capt. Gage.

Mr. Sheriff Packer came into ye House & represented y^t ye Province Goal was much impair'd & that two Prisoners had lately made escape, &c.

Voted That Doc^r Joseph Pierce be allow'd six Pounds five shills in full for his acc^t for Edwd Hopkins his *Imposthume* (1) in his Breast to be p^d out of ye money in ye Treasury for ye use of ye Expedition ag^st Louisbourg. Sent up by Mr. Sherburn & Davis.

Voted, That Richd Jennes Esq. be allowed twelve shills & six pence in full for six foot of Wood supply'd ye Assembly to be p^d out of ye money in ye publick Treasury. Sent up by Mr. Sherburn & Davis.

The House took under consideration ye Petition of Walter Warren a voluntier in ye Expedition against Louisbourg Representing his having enlisted only as a Centinel & p^d accordingly but that ye Genl had order'd him to work at his trade *Trade* as a Gunsmith by which means many of his Tools were lost, & worn out & pray for an allowance—it is therefore

Voted That in answer to s^d Petition there be allow'd to s^d Walter Warren twenty one shills & nine pence in full satisfaction for s^d Petition to be pd out of ye money in the Treasury for ye Expedition 'gainst Louisbourg. Sent up by Mr. Sherburn & Davis.

A message from his Excellency by Mr. Secretary as follows viz.

[P. 484.] (2) That such money as his Excellency shall draw out of the Treasury for Defraying the Expence of ye Forces sent to ye Relief of his Majesties Garrison of Annapolis Royal be put upon the same footing that the money he shall draw out of the Treasury for arming & clothing the Canada Voluntiers & that he expects no other Fund for repaying the same in one case more than ye other.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted That there be allow'd Stephen March thirty one Pounds seven shills & three pence in full of his acc^t for sundry Tools as Pick axes shovels hoes spades &c. to be paid out of ye money in ye Treasury. Sent up by Mr. Sherburn & Davis.

Voted That Mark Hun^g Wentworth Esq^s Acc^t for storage Handspikes &c. amounting to ten Pounds ten shillings & six Pence be allow'd & p^d out of ye publick Treasury. Sent up by Mr. Weare.

Voted That Charles Gorwood acc^t amounting to seven Pounds eighteen shillings & seven pence be allow'd & p^d out of ye publick Treasury. Sent up by Mr. Weare.

(1) "*Imposthume*," an abscess; a collection of pus or purulent matter in any part of an animal body.—WEBSTER.

(2) So paged by error in original, as also next, 485.—ED.

Voted That Mess. Wm & D^l Wentworth their acc^t amounting to five Pounds four shills & three Pence in full for sundrys supply'd Peirce's Battery, to be p^d out of ye publick Treasury. Sent up by Mr. Weare.

[p. 485.] Voted That the acc^ts of John Moffat Esq. amounting to six Pounds five shills for sund^s supply'd ye Battery be allow'd & paid out of ye money in ye Treasury. Sent up by Weare.

The House adjourn'd 'til to morrow 9 o'clock.

Thursday 28th May 1747 A. M.

The House met according to adjournment.

Voted That Coll. Wallingford & Mr. Memurphy go to the Treasurer for ye Louisbourg accounts — who return'd that ye Treasurer said s^d acc^ts would be ready in a short Time by ye afternoon at farthest.

The Petition of Samuel Drown representing his being wounded lately by ye Indian Enemy and his being in needy circumstances & praying Relief — it is therefore

Voted That s^d Petitioner be taken care of at the expence of ye Province 'til further order — That Eleaz^r Russell be of this House to join such as may be appointed by ye Hon^bl Council to take proper & suitable care of him 'til further order in ye most frugal manner with Power to draw money out of ye Treasury to defray ye Expence thereof to be accounted for to the Genl Assembly. Sent up by Mr. Sherburn & Davis.

Whereas the Acts & Laws of this Province stand in great need of a Revisal many of them being verry defective doubtfull & not so clearly exprest as they might be & sundry of them not printed & some new ones wanted — Therefore

Voted That Eleaz^r Russel Esq. be a Committee of this House to join such as shall be appointed by the Hon^bl Council to revise the [p. 486.] Acts & Laws of this Province (now in force) both printed & in manuscript & prepare any new acts & Laws that they shall judge serviceable & Beneficial for the Province (with a Table) to be lay'd before ye General Assembly as soon as may be in order to their being printed & that the said Committee procure such Help & assistance therein as they shall think proper & that the same be done at the charge of the Province & that the s^d Committee draw money out of the Treasury for ye doing thereof from time to time as they may have occasion. Sent up by Mr. Sherburn & Davis.

Mr. Secretary bro't down ye Report of Messrs Saml Smith John Downing & Richd Jennes Esqs, & Capt Jonath^n Chesley & Mr. Joseph Wadleigh a Committee appointed pr ye Genl Assembly to consider of ye Place & manner to build a Bridge over Newmarket or Exeter river.

Whereas his Excell^y tho't it for his Majesties Honour & Interest to send some of his Majesties Forces to relieve his Majesties Gar-

rison at Anapolis Royal last Winter & whereas it is represented to this House that there is want of money to pay off the sailors & Transports that were Imploy'd in that service & whereas his Excellency has inform'd the House by a written message that he expects orders from his majesty to draw Bills for defraying the whole Expence of sending s^d^ Troops to Anapolis,

Voted That money be lent out of the money in ye Treasury for ye Expedition against Canada to pay s^d^ Transports & Sailors, to be [p. 487.] repaid by his Excellency's Bills of Exchange to be drawn payable to a Committee appointed by ye Genl Assembly for ye use of ye Government for sinking so much of s^d^ Canada money & that Coll Thomas Wallingford & Mr. Henry Sherburne jun be a Com^tee^ of this House to join such as shall be appointed by ye Hon^bl^ Council for this End. Sent up by Mr. Sherburn & Davis.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

The Treasurer sent by Mr. Sherburne into ye House ye accounts relating to ye Expedition against Louisbourg which acco^ts^ not being compleat were sent back again to ye Treasurer who promised to have them ready this afternoon or to morrow morning.

Voted That Eleazer Russel Esq. be a Committee of this House to join such as may be appointed by ye Hon^bl^ Council to Examine ye condition of ye Province Goal & make ye necessary Repairs, ye Expence to be paid out of ye Interest of ye 25000£ Loan appropriated for that use. Sent up by Mr. Weare.

The House adjourn'd 'til to morrow 9 o'clock.

Fryday May 29th 1747.

The House met according to adjournment.

The Louisbourg acc^ts^ being read in ye House ordered that they be sent up to the Hon^bl^ Council. Sent up by Mr. Sherburne & Davis.

Voted That ye account of Josh^a^ Peirce Esq. for sundrys supply'd building Batteries amounting to thirty three Pounds ten shills & ten Pence half-penny be allow'd & paid out of ye money in the publick Treasury. Sent up by Mr. Weare.

[p. 488.] Voted That ye Ballance of ye accounts of John Gage Esq. for Provision &c. supply'd ye scouts agreeable to votes of ye Genl Assembly amounting one Hundred & twenty-five Pounds sixteen shills & six Pence be allow'd & paid out of ye money in ye publick Treasury. Sent up by Mr. Weare.

Voted, That ye Report of ye Committee appointed by ye Genl Assembly to consider of ye manner & Place for building a Bridge from Stratham to Newmarket bro't down yesterday be receiv'd & approved with ye following amendment, viz. that ye draw Part of

s^d Bridge be twenty-eight feet wide & ye Passage for rafts forty-five feet wide that ye Petitioners build ye Bridge keep it in Repair & procure convenient Ways to & from ye Bridge *keep it in Repair & procure convenient Ways to & from ye Bridge* & all at their own Expence. Sent up by . . . . . .

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted That Benj. Pitman's acc^t for Expresses amounting to forty two shills & six Pence in full be allow'd & p^d out of ye money in ye Treasury. Sent up by Mr. Weare.

A Bill being bro't into the House for subjecting the Lands in ye Township of Hollis to a Tax of two pence pr acre for four years next ensuing & ye Lands in the Township of Pelham to a Tax of one penny half penny pr acre for four years next ensuing & y^e [P. 489.] Lands of ye Parish of Epping to a Tax of a penny half penny pr acre for four years next ensuing having been read three Times

Voted That it pass to be enacted.

Mr. Clarkson desired to dissent ye above vote. Mr. Giddinge & Mr. Palmer also desired to do ye same. Sent up by Mr. Weare.

The House adjourn'd til tomorrow 9 o'clock.

Saturday 30th May 1747.

The House met according to adjournment.

The Louisbourg accounts were again bro't into the House & read & ordered y^t they be returned to ye Treasury.

Between ten & eleven o'clock Mr. Secretary came down & said he was directed by his Excellency to adjourn ye Genl Court 'till Monday next at ten o'clock A. M. & then in his Majesties name declared ye Court adjourn'd accordingly.

Monday June 1st 1747.

The Speaker nor a Quorum of the House not being come in about five o'clock ye members present departed ye House.

Tuesday 2^d June 1747 A. M.

A Quorum of ye House met & Mr. Speaker Stevens not being come in it was moved that a Speaker pro tempore should be chose that ye House might proceed upon Business and then it was

Voted That John Sandburn Esq be Speaker protempore.

Voted That ye Muster Roll of Capt. Bell & fourteen men under

his command at his Majesties Fort William & Mary from ye 24th March 1746 to ye 25th of March 1747 be allow'd amounting to two hundred & fifty two Pounds one shill & paid out of ye money in the Treasury. Sent up by Capt. Chesley.

[P. 490.] Province of New Hampshire.

In Council June 2^d 1747.

Whereas the quarterly Courts or Genl Sessions of the Peace by Law is to be held this Day & for as much as some Doubts have arisen upon ye construction of ye s^d Law whether or not the Justices can adjourn ye s^d Court for a longer Time than ye two Days mention'd in ye s^d Law & for as much as the Justices holding ye said Court at this Time may be attended with many *Ill* conveniences by Reason of the Infection of the Small Pox lately bro't into this Town & the s^d Court by Law Limited to set in this Town only & the Genl Assembly now setting &c. To prevent which Ill-conveniences, Voted, That ye s^d Justices be impower'd & directed imediately to adjourn ye s^d Court & all the causes & matters therein depending to Tuesday ye 7th Day of July next & then to adjourn further if the above ill-conveniences shall not be removed. Theodore Atkinson, Secretary.

The foregoing vote of ye Hon^b Council was bro't down by Mr. Secretary & immediately ye House took s^d Vote under consideration.

Voted That said Vote be concurr'd. Sent up again by Mr. Knight.

In answer to a Paragraph in his Excel^y the Govr^s message of ye 19th of this Instant relating to the Recruiting officers,

[P. 491.] Voted That his Excellency be desir'd to order an account of what Bounty money has been paid out of the Treasury for encouraging Voluntiers to Enlist in ye intended Expedition against Canada with each officers List & ye Time of each man's Enlistment. Sent up by Capt. Jennes.

The House adjourned for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted That ye Committee of Warr for ye Expedition against Louisbourg & the Com^tee for ye Reinforcement & all Committees of War concerned in said Louisbourg Expedition be allow'd five shillings & three pence p^r Day for each Day they were imploy'd in s^d service & no more. Sent up by Mr. Macmurphy.

Mr. Secretary bro't Down ye following Petitions viz. Coll Nat^h Meservey's Mr. John Flagg's & Mr. Eliphalet Daniels & ye Vote for inlisting 40 men for Fort Wm & Mary & for building Barracks at s^d Fort—an account of Payments for ye Canada Expedition, also a Roll of the Troops levied in N Hampsh^r for ye Canada Expedition.

The House adjourn'd til tomorrow 9 o'clock.

Wednesday June 3d 1747 A M.

The House met according to adjournment.

Mr. Secretary came down & said he was directed by ye Council to inform ye House in answer to their message of this day by Mr. Clarkson that ye vote for Committee's Wages was noncurr'd by ye Council for ye Reasons he Mr Secretary gave, and ye vote for ascertaining ye value of money was under consideration & that ye Council saw Difficulties either in concurring or non curring sd vote for Reasons Mr Secretary gave.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

[P. 492.] The Hon. Theode Atkinson Esq. one of ye Commtee for letting out ye 25000£ Loan came into ye House & represented to ye House that ye Land that John French late of Chester deceas'd mortgaged for security for Part of sd Loan was not sufficient at this season to pay both principal & Interest if it should be parcelled out agreeable to said Act, & yt ye sd French is dead & his Heirs scatter'd & if sd commtee should proceed this Day agreeable to yr Determination the Province hereafter might suffer & pray'd ye House to come to some Resolve concerning ye Premises.

Mr. Secretary bro't Down ye Petition of Stephen Greenleaf & James Stoodley late owners of ye Sloop Speedwell prays for further allowance for ye Hire of ye sd sloop Speedwell for reasons in sd Petition mention'd.

Voted That the commtee of War for ye Expedition agst Louisbourg immediately or as soon as possible they can lay all ye accts relating sd Expedition to be settled by ye Genl Assembly before them for a final settlement and inasmuch as ye House's vote of yesterday allowing sd Committee 5 : 3 pr Day was nonconcurr'd by ye Honble Council It is further voted that ye sd Comtees be allow'd each man 6 : 3 pr Day for each Day he attended said service & no more to be paid out of ye Money in the Treasury, & inasmuch as it is of absolute necessity that the accounts should be immediately sent Home to the agent, Voted That ye accounts now laid before the General Assembly by ye Chairman of sd committees amounting to 26489 : 16 : 8 1-2 proclamation money be forthwith transmitted to John Thomlinson Esq. agent of this Province by the Committee appointed for that Purpose, and that what ever sum shall be paid by ye Crown to discharge those accounts shall be for & towards the sinking of so much of ye Bills of Credit of this Province [P. 493.] emitted in ye years 1744 & 1745 & that the article of 1300£ charged in the accounts for ye Commtee be for ye use of the Government. Sent up by Mr. Weare.

The Bill for building a good sufficient Draw Bridge from Stratham to New Market having been read three Times

Voted That it pass to be enacted. Sent up by Messrs Weare & Jennes.

Order'd, That a message by Messrs Jennes & Weare go to ye Upper House & pray that they proceed upon ye vote for ye Louisbourg Committees allowance &c. & that his Excellency would please (on acc^t of ye Small Pox) to adjourn ye Genl Court for some time.

The Honble Messrs Atkinson & Sheafe came down & said in answer to ye message by Messrs Weare & Jennes ye vote for said committees allowance was concurr'd by the Council, but not yet assented by ye Governour & as to ye other Part of ye message ye Governour can't adjourn ye Court for any time but to what Place ye House should desire either in Town or out of it.

The House adjourn'd 'til tomorrow 9 o'clock.

Thursday June 4th 1747 A. M.

The House met according to adjournment.

Mr. Secretary bro't down ye Petition of sundry of ye Inhabitants of ye Town of Suncook (1) representing that ye Indians had kill'd one man & fired upon others & that they were apprehensive of another attack from s^d Enemies & praying Relief immediately.

Voted That the following message be sent to his Excellency, viz. The House desires to know whether if private Persons should appear to purchase ye Bills mention'd in y^r Exc^ys message of this Day & run all Risques your Exc^y will immediately draw for y^e [P. 494.] whole Expence of sending Succours to his Majes^ts Garrison at Anapolis Royal at the same advance the Bills were drawn for s^d service by his Excellency Govr Shirley. Sent up by Cl^k March.

Mr. Secretary bro't Down his Exc^ys Reply to ye foregoing message which is on file.

The House adjourned for two Hours.

[Messages above referred to copied from MS. "Governor's Messages" in Secretary's Office, Vol. 1, pp. 449, 453, 455.]

Gentlemen of the Assembly,

Your vote of 28th May Inabling me to pay off the two armed Vessells &c. which I sent in November last to the succour of his Majestys Garrison at Annapolis Royal, is concur'd by his Majesty's Council, but I think it more for his Majesty's service that the money I shall draw out of the Treasury for that service be put on the footing of the money for cloathing and arming his Majestys Troops in the Expedition for Canada, and more for the Honour and Interest of the Government, but if the House does not agree with me in sentiments on this point, and will Drive me to the necessity of consenting to the bill as it stands, or the Vessells and seamen must not be paid off, the House must pass a vote to Indemnify me upon the Event of the bills, for without such a vote, as I am the Drawer I take that risque myself.

B. WENTWORTH.

Council Chamber in
Portsmouth June 4th 1747.

(1) Suncook was the original name for Pembroke, N. H.—ED.

Gentlemen of the Assembly

In answer to your Mess^{a} pr Clement March, Esq. all that I have to say is That if the Assembly refuse to lend the crown money out of the Treasury for defraying the Expence of the succours sent by me to Annapolis Royall, on the terms I propose, the whole affair must lay for the present Having told you before that I had not drawn any bills, neither should I, untill I had his Majesties commands therefor, which I dayly Expected.

B. WENTWORTH.

Council Chamber
Portsm^{o} June 4th 1747.

Gentlemen of the Assembly

I shall consent to your vote of 28th May concur'd by his Majesty's Council, provided it is Resolved that the money I shall draw out of the Treasury for the services therein mention'd is not replaced in the Treasury before, or at the same time that his Majesty shall order payment for cloathing & arming the Troops rais'd in this Government for the Canada Expedition — The Province takeing the risque of the Bills I draw for paying the seamen and vessells Imployed for the succour of Annapolis.

If this may be thought a sufficient security by the House I shall be glad you will immediately pass upon it.

B. WENTWORTH.

Council Chamber
in Portsm^{o} June 4 1747.

Post Meridiem.

House met according to adjournment.

The House took under consideration ye Petition of the Inhabitants of Suncook bro't down this forenoon,

Voted, That his Excellency be desired to give orders for Inlisting or impressing four good effective men to be posted at Suncook to guard the same 'til ye twentyeth of Oct^{o} next, said men to be shifted once a month. Sent up by Mr. Macmurphy.

Voted That ye following be sent to his Excellency in answer to his messages of this day.

May it please your Excellency

The House adhere to their vote of ye 28th past & are willing to indemnify your Excellency upon ye event of ye Bills & don't desire your Excellency to take any Risque upon your self in Drawing said Bills agreeable to said Vote of ye 28th past provided ye Bills be drawn as soon as ye charge can be known. This being agreeable to your Excell^{ys} Proposal in your Excell^{y} first message of this day, ye House hope for your Excellency's consent to said vote.

Sent up by Mr. Gage.

[P. 495.] *May it please your Excellency.*

The House have further consider'd that part of your Excellency's message of ye 19th May relating y^{e} "Enabling the Treasurer in a short way to compel "the respective Persons that have been raising men for ye Canada Expedition "to account with him." The House are unacquainted w^{h} ye way & manner which the Treasurer hath paid the money referred to out of ye Treasury,—If the payments are agreeable to ye Acts & Votes of ye General Assembly, ye Law of ye Province for regulating tryalls in civil Causes in Page 21, by which actions ye Causes relating to ye Crown may be tryed at the Superiour Court of

Judicature is sufficient & ye House are of opinion that no Time ought to be delayed but that imediate Process go out against every one of s^d Persons that have the Government's money in their hand and refuse to return it.

Sent up by Mr. Gage.

His Excellency's Roll of Troops Levied for ye intended Expedition against Canada sent up by Honble Mr. Wibird (1)

Mr. Secretary came down & said he was directed by his Excellency ye Governour to inform ye House that he had adjourned the Genl Court to Tuesday ye 16th Instant at 12 o'clock agreeable to their message of yesterday & then declar'd the Court adjourn'd to s^d Time accordingly.

Tuesday 16th June 1747 P. M.

The House met & order'd That Mr. Clerkson & Mr. Sherburne go & inform his Excellency that a Quorum of ye House are met.

Mr. Secretary came down & said his Excellency directed him to inform ye House in answer to their message that he had nothing new to lay before ye House & that ye Treasurer's acc^ts were ready to be lay'd before ye Genl Assembly.

[P. 496.] Order'd That Mr. Macmurphy & Mr. Knight go up & desire that ye Treasurer's accounts may be laid before ye Genl Assembly as soon as may be.

The House adjourned 'til tomorrow 9 o'clock.

Wednesday June 17th 1747.

There not being a Quorum of ye House met they adjourned til three o'clock.

Wednesday afternoon June 17, 1747.

Voted That Henry Sherburne jr. be Clerk pro tempore.

An Act Entitled an Act more effectually to prevent profane Cursing & Swearing read the first time.

Whereas the further & final hearing and determining ye matter Relating to a Petition of Sundry of the Inhabitants of the Town of Stratham praying they may be excused from paying any thing towards the support of the Rev. Mr. Joseph Adams &c. was deferred to this day to give the parties an opportunity of agreeing if it might be, The Petitioners sent to ye House a copy of a vote of the Town of Stratham relating to s^d Petition & excusing them from paying any thing towards the support of s^d Mr. Jos Adams &c. wch was read, & then the other party not being present & but a bare House, Ordered that the further & final hearing & deter-

(1) The Editor has not succeeded, after much search, in finding the above said Roll.—Ed.

mining s^d^ matter be further deferred till ye 2^d^ day of the sitting of the Genl Court after ye first day of July next.

[P. 497.] Mr. Leavit desiring to have the before mentioned copy of a vote of the Town of Stratham, he has leave from the House to take it & bring it into the House again at or before ye s^d^ Time of further hearing.

The Act the more effectually to prevent prophane cursing & Swearing read the second time & then the House adjourn'd for & till se'n of the clock this evening.

Met according to adjournment.

An Act Intitled An Act the more effectually to prevent prophane Cursing & Swearing being read the third time.

The House adjourned till tomorrow nine o'clock.

Thursday June 18th 1747 A. M.

The House met according to adjournment.

The Bill for ye more effectually preventing prophane Cursing & swearing having been read three times, Voted unanimously, That it pass to be enacted. Sent up by Mr. Memurphy.

Mr. Secretary bro't down ye above mention'd Bill & said Council were of opinion that s^d^ Bill ought to be perpetual: also moved for his allowance for his last years service.

Mr. Secretary also bro't down ye memorial of John Macmath & Thos Shepherd of Barrington representing their dangerous condition &c.

The House took ye Councils motion pr Mr. Secretary under consideration & altered ye Limitation in s^d^ Bill from three to five years & order'd that Messrs Clarkson & Bell carry back said Bill & inform ye Honble Council that ye House were of their opinion as to [P. 498.] making s^d^ act perpetual but that they did not know but that some difficulty might hereafter arise which could not now be foreseen, therefore were at present of opinion that it would be best s^d^ act should be temporary.

Mr. Secretary bro't down Govr Shirley's Letter & Capt. Bennets Intelligence (1) concerning three French men of war being at Bay West & there landing cannon & other Ordinance stores in order to besiege Annapolis.

Govr Shirleys Letter & Capt. Bennets Intelligence above mention'd sent up again by Capt. Leavit & immediately Mr. Solly bro't s^d^ Papers back again & sent back by Mr. Giddinge.

Whereas Saml Hart Esq. one of ye selectmen of ye Town of Portsmouth came into ye House & represented that there was another Person broke out with the small Pox in said Portsmouth, & that there was great Danger that s^d^ Distemper would spread &

(1) See "Journal of General Assembly" of correspondent date.- Ed.

that there neither was nor could be a proper House provided to receive Persons that are or may hereafter be discovered to be infected, therefore

Voted, That there be ye sum of one Hundred & twelve Pounds ten shillings allow'd & p^d out of ye Publick treasury to the selectmen of s^d Portsmouth by them to be improv'd for & towards ye building a Pest House at some convenient Place for ye use of this Government & that each Town shall bare ye expence of such of their respective Inhabitants as shall be carried to said Pest House when such Person or Inhabitants shall not be able to pay s^d Ex- [P. 499.] pence themselves. Sent up by Capt. Gilman.

Mr. Giddinge pray'd Leave to enter his Dissent & did accordingly dissent.

Voted That there be allow'd & paid to Willm Lewis in full forty nine shillings & ten Pence three farthings for repairing ye Province Goal to be paid out of ye money in ye Treasury by ye 25000£ Loan act for ye use afores^d. Sent up by Capt Gilman.

The House adjourn'd for one Hour & Half.

Post Meridiem.

The House met according to adjournment.

Order'd That Coll Wallingford & Mr. Sherburne wait on his Excellency to enquire whether (as his Excellency sent no message w^h Govr Shirley's Letter & Mr. Bennets Deposition) he expected any answer from the House & if he did what it was his Excellency desired ye House to do — Who went & return'd that his Excellency told them that what he desir'd was that ye House would impower him (when he knew what the other Governments did) to send such succours as he should think proper & that ye House would make a Law or come to a Resolve to enable him or his officers to punish ye soldiers if they would not obey his officers.

May it please your Excellency

The House have had under consideration ye subject matter of Govr Shirleys Letter with Mr. Bennets Deposition this Day laid before ye House by Mr. Secretary without any message with them & having very much at heart ye Preservation of his Maj^tys Garrison at Annapolis Royal upon which ye safety [P. 500.] of this & her Majesties other Provinces so much depend, when we are acquainted with what ye other Provinces propose to do shall be ready to do everything in our power that may appear to be Duty on this important occasion.

Sent up by Coll. Wallingford.

The following is ye order on ye Petition of Charles Hight praying for consideration for ye Hire of his Gundaloe & Damage done ye same viz.

In Council May 21st 1747 read & order'd to be laid before ye committee of War for ye Canada Expedition who are hereby directed to adjust ye affair abovesaid in ye best manner they can.

Theo^e Atkinson, Sec^y.

Voted, That ye above order of ye Honble Council be concurr'd. Sent up by Mr. Knight.

Mr. Secretary came down & said he was directed by his Excell^y to tell ye House y^t he tho't ye situation of ye publick affairs was such that he could not adjourn ye Genl Court for any time but would adjourn to any place y^t ye House tho't they might set in safety.

A message from his Excellency by ye Honb. Mr. Solly, viz. His Excellency desires to know whether ye House had done any thing upon ye Petition of Mr. Macmath &c.

[P. 501.] Order'd That Messrs Clarkson & Gilman go up in answer to ye message pr Mr. Solly, viz. That there was a Proportion of men granted to Barrington already, & that there was but a thin house & was not clear in making any further Grant, when there was a fuller House would do what might be tho't convenient.

Mr. Secretary came down & said ye Council were of opinion that were already posted at Barrington could not be conveniently divided.

Voted That his Excellency be desir'd give orders for inlisting or impressing two good effective men more to be posted at Barrington as his Excellency shall think proper til ye 20th of Octo^r next if need be to be shifted once a month. Sent up by Capt. Gage.

Mr. Secretary came into ye House & said he was directed by his Excellency the Govr to acquaint ye House that he had adjourn'd ye Genl Assembly of this Prov^e to Tuesday ye 14th July next & then in his Majesty's name declar'd ye Court adjourn'd accordingly.

Tuesday 14th July 1747. Post Meridiem.

The House met & order'd that John Macmurphy Esq. & Capt. Gilman go & inform his Excellency that a Quorum of ye House were met — Who return'd they had deliver'd ye message.

Mr. Secretary bro't down his Excellency's written Speech which is on File — also two Letters from Mr. Secretary Willard relating the Province Massachusetts their sending a Flagg of Truce to Canada for ye Redemption of Captives (1).

Mr. Secretary bro't down his Excellencys written message also Governour Shirleys Letter of ye 29th June (2) last relating to ye appointing Commiss^rs to meet in a Congress at N. York to consult on ye best measures for opposing &c ye French & Indian Enemies &c. & after Debate had on s^d Papers the House adjourned 'til to morrow 9 o'clock.

(1) See said letters in "Records of Council," pp. 113, 114, of this volume.—Ed.

(2) See Gov. Shirley's letter in "Records of Council," p. 115.—Ed.

Messages of Gov. Wentworth.

[Copied from MS. "Governor's Messages," in Secy's office, Vol. I, p. 459–464.]

(First Message.)

Gentlemen of the Assembly

The Grant you made of £250 in answer to my repeated messages, for a just & equitable Satisfaction for the arrearages due on my Salary for five years past, was concurr'd by his Majesty's Council, but the Immediate service of the Crown with other intervening accidents made it necessary for me to keep the General Assembly under short adjournments, for which reasons I have had no opportunity till now to tell you that I can't in Honour to the King my master, nor in Justice to myself consent to it.

I must therefore recommend it to you as a matter of great Importance to the Government that you pay a due regard to your own Acts, and according to the Equity of those Acts by which my Salary was established, every one that will Impartially weigh the nature & reason of the thing, must confess that the sum settled on me should be at least a sufficiency to enable me honourably to support the dignity of the Royal Commission.

I must observe to you that the Salary that was at first settled on me, I never esteemed a competent sum—but to avoid giveing trouble to my superiours, and to put an end to a long session, I tho't it for the interest of the Government to accept it, and tho' at this day the nominal Sum is the same, yet you cannot but be sensible that every convenience & necessary for my support is double, & the more expensive part cannot be purchased for treble the sum it could have been purchased for in the year 1742—From which it is evident that I have not been paid the full salary the Government intended I should receive, therefore ascribe it to what cause you please, either to the fall of the money or the rise on every other thing you will allow that in Reason & Justice I ought to have satisfaction made.

I am greatly injured by the manner in which my salary is paid, & upon looking over the acts, you will observe that from 12th of Decr to the 12th of June I am to live without any salary or support from the Government, and on the 12th of June I am to draw out of the Treasury £125 for wch the Excise is a Fund, the other moyety is paid out of the Interest of the $25,000 loan, and by the words of that act, I am to draw it out as it becomes due, which hitherto I have only done at the close of the year, from which it appears that I am to support the dignity of my Imployment a year with £125, & not to receive that till six months are expired,—I hope therefore, Gentlemen, you wil relieve me from these difficulties, and that you will think it for the Honour & Interest of the Government to put my salary on an equal footing with his Majesty's other Governors, or at least that you resolve that I may draw it out of the Treasury at such times as I may have occasion therefor.

The vote of the General Assembly respecting the House I now live in, being for five years is expired, and as it wants considerable repairs, I must desire that a Comtee may be appointed for that service, or that some other suitable house may be provided for my reception.

My accommodations hitherto have been at my own Expence excepting £12: 10 pr annum for repairs & £12: 10 for building a stable, the latter sum I was not to draw out of the Treasury, unless I consented to the £12: 10 pr year for repairs, and as neither of these sums have been sufficient, I must desire that proper persons may be appointed for that service also.

For the years 1742, 1743 & 1744, I had the vote of the General Assembly for the usual & customary perquisite of two men at his Majesties Fort Wm & Mary, but for the years 1745 & 1746, the House has refused to make me any Grant. If the practice had been new, the House had a right to be satisfied in the reason of its being introduced, but as it has been not only allowed my predecessors but to my self, I look upon it as a thing of an extraordinary nature—Especially as the House have not given me any reasons for their proceedings herein, and was it not that I am at an annual Expence which far exceeds the perquisite in keeping birth-days (which all other Governments

defray the Expence of) necessarily visiting the Fort & attending his Majesty's service at New Castle, I should have passed by the neglect.

What I have recommended are matters that principly are founded on his Majesties commands and as such, I hope you will think them worthy your Immediate consideration.

B. WENTWORTH.

Council Chamber in
Portsm° July 14th 1747.

[The foregoing, on a separate sheet, seems to have been sent with the foregoing.]

Gentlemen of the Assembly,

The warrant that accompanies this message, is for that part of my Salary which becomes due the 12th of June, ... to be paid out of the money that is paid into the Treasury from the Excise, which according to the present price of silver amounts to nine hundred thirty seven pounds ten shills old tenor, which sum I desire you to enable the Treasurer by a resolve of the Assembly to pay, which by the words of the act you are obliged to.

B. WENTWORTH.

(Another Message.)

Gentlemen of the Assembly,

This message accompanys Governour Shirley's Letter to me of the 29th June last which principally relates to the appointing Commissioners to meet at a Congress to be held at New York the second Day of September next, to unite with the Comissioners of his Majtys other Governments upon measures that may conduce to establish the six Nations in his Majtys Interest & in the Interest of his Brittish Colonies, with other essential things therein mentioned.

Upon which I shall be glad to receive your sentiments, and how far you will Engage in the Expence, that I may appoint a Comissioner or Comissioners as the circumstances of this affair may require.

I have directed the £1000 granted by this Government to be remitted to Boston, and laid out in such goods as are Proper, agreeable to those sent from the Government of the Massachusetts, in which Governor Shirley has offered to give his assistance and that he will take care that the amount thereof shall be remitted to Coll. Johnson & Mr. Lydius agreeable to the vote of Government.

B. WENTWORTH.

Council Chamber
Portsm° July 14th 1747.

[P. 502.] Wednesday July 15th 1747 A. M.

The House met according to adjournment.

Whereas the House are inform'd by a letter this Day laid before ye House by his Excellency ye Governour that at ye Request of both Houses of ye Province of ye Massachusetts Bay, Gov. Shirley was determin'd to send a Flagg of Truce to Canada with Commissrs to proceed therein to Quebeck in order to procure the Redemption of all such English Prisoners belonging to that government, New-Hampshire, Connecticut & Rhode Island as may be among ye French & to use all possible care to recover such of ye English Captives as may be in ye Hands of ye Indians, in full confidence that ye Governments of New Hampshire, Connecticut &

Rhode Island would join in ye Expence that may arise by sending ye s^d^ Flagg of Truce in Proportion to ye Number of Prisoners belonging to each Government that may be redeemed.

Voted, That his Excellency be desir'd to inform Governour Shirley that y^s^ government will be ready to bear their reasonable Proportion of charge in sending said Flagg of Truce according to their Proportion of captives that may be redeemed & for ye more easy regaining ye Captives which belong to this government his Excellency the Governour be desir'd to give orders for ye immediate sending all ye French Prisoners that are in this Province to [P. 503.] Boston in order for being transported to Canada & exchanged for y^e^ *captived* Inhabitants of this Government—That his Excellency be desired to write to ye Governour of Canada & (if to be procured in season) send ye Names of ye Captives supposed to be at Canada or among ye Indians taken from this Government & to use all such necessary methods as his Excellency may think proper for ye recovering s^d^ captives. Sent up by Mr. Macmurphy.

The Hon^b^ Mr. Sheafe bro't down ye following Petitions, viz. ye Petition of Capt. Eastman &c for soldiers at Pennicook, John Marsh's Petition in behalf of himself & ye other Inhabitants of Nottingham West praying for an Act to subject ye Lands of Nottingham to a Tax &c. & ye Petition of Coll. Moore &c. Recruiting officers, for raising Levies for ye Canada Expedition, praying An allowance for Raising s^d^ men for said Expedition.

This being ye Day appointed for ye further & final Hearing of ye Petition Sundry of ye Inhabitants of Stratham praying they may be excused from paying any thing towards ye support of ye Rev^d^ Mr. Joseph Adams &c. The agents for ye Petitioners appearing & acknowledging that they were satisfied, therefore

Voted, That said Petition be dismissed.

The House took under consideration ye Petition of John Marsh &

Voted That the Petitioners be heard on ye second Day of ye Setting of ye Genl Assembly after ye first Day of Sept. next & that [P. 504.] ye Petitioners advertise ye Publick two or three Weeks successively at their own cost between this & ye aforesaid second Day of ye setting of ye Genl Asssembly (in y^e^ *Post Boy* or *Evening Post* News Papers so called) of ye Prayer of s^d^ Petition that so any one may shew cause if any there be why ye Prayer of s^d^ Petition should not be granted. Sent up by Capt. Gage.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournm^t^.

Voted That ye following be sent to his Excellency in answer to his message pr Mr. Secretary yesterday, viz.

May it Please your Excellency,

In answer to your Excellency's message by Mr. Secretary with Govr Shirley's Letter respecting ye meeting of Commiss^{rs} in a Congress to be held at New York on 2^{d} Day of Sepr next which Letter informs that ye Government of ye Massachusetts Bay have appointed Commiss^{rs} for that Purpose & your Excellency moves to have our sentiments how far we will engage in ye Expence that your Excell^{y} may appoint a commiss^{r} or commiss^{rs}. We apprehend that if commiss^{rs} are to be sent they should be chose by ye Government But we cannot at present see our way clear to engage in any Expence toward sending Commiss^{rs} to meet in that Congress 'til we have further knowledge than is communicated by that Letter.

Sent by . . . .

The House adjourn'd 'til tomorrow 9 o'clock.

[P. 505.] Thursday 16th July 1747, A. M.

The House met according to adjournment.

Voted That Peter Gilman & Thos Bell Esqs. & Mr. Henry Sherburne Junr be a com^{tee} of this House to join such as shall be appointed by ye Hon^{b} Council to examine and audit ye Treasurer's accounts & to receive & tell over ye money y^{t} is by ye acts of ye Genl Assembly to be burnt & make Report to ye Genl Assembly as soon as may be & that s^{d} comm^{tee} bring said money when told into ye Genl Assembly to be burnt to ashes agreeable to ye acts of ye Government. Sent up by Capt. Leavit.

Voted, That Richd Jennes & Clem^{t} March, Esq. be a com^{tee} of this House to join such as may be appointed by ye Honble Council to farm out ye Excise for one year from ye fifteenth of May last past at Publick Vendue to ye highest Bidder to be p^{d} half yearly & to take good security from ye Person or Persons to whom it may be sold & deliver ye Bonds to ye Treasurer for ye Time being to whom ye Bonds must be made payable for ye use of ye Government and that s^{d} comm^{tee} give publick notice of ye Time & Place of sale.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Whereas ye vote of ye Genl Assembly establishing a Rule for all Judges Justices & other officers within this Province to be govern'd by in taking Fees Fines & Forfeitures as by Law established before ye year 1740 will expire ye first Day of Augst next & forasmuch as it is necessary to prevent any Dispute & that all Persons as well as officers as others may know what Fees &c are to be paid,

[P. 506.] Resolved That one shilling of ye Lawfull money of this Prov. lately emitted shall be received in Payment for two shills. or any Fees Fines or Forfeitures by Law established before

ye year 1740 & so in Proportion for a greater or lesser sum & all officers civil & military are hereby respectively to govern themselves accordingly in all cases except where any Fees Fines & Forfeitures are established by acts of Parliament or by act of this Government relating to ye better Preservation of his Majesties Woods & this Resolve to continue & be in force for one year unless otherwise ordered by ye Genl Assembly. Sent up by Mr. Wear.

The House adjourn'd til tomorrow 9 o'clock.

Fryday 17th July 1747 A. M.

The House met according to adjournment.

Whereas ye Provisions & Stores laid in for ye Canada Expedition are in great Danger of taking Damage having been long laid in store and there being no prospect that they will be wanted for that Expedition ye present yeare,

Voted That ye com^tee for procuring Stores &c for that Expedition be impower'd to make sale of s^d Provisions & Stores as soon as may be to ye best advantage they can & render an account thereof to ye Genl Assembly and to overhall such as they do not sell and if need be have them repack'd or do what may be needful for their best Preservation. Sent up by Mr. Giddinge.

[P. 507.] Voted That Capt. Jos. Hanson be allow'd & paid out of ye money in ye publick Treasury for ye use of ye Canada Expedition ten Pounds ten shills in full for billetting of Capt. Jo^n Goffe & Part of his company in there return from a scouting march. Sent up by Mr. Macmurphy.

Voted That Benj. Acreman be allow'd 12 Pounds in full for his service as Door keeper for 1746 to ye 25th of March last past to be paid out of ye money in ye Treasury. Sent up by Capt. Chesly.

Voted Sarah Priest be allow'd four Pounds ten shills. in full for ye use of her two Rooms for ye Council & Representatives to be paid out of ye money in ye Treasury. Sent up by Mr. Giddinge.

The House took under consideration ye Petition of Hunking Wentworth & Elliott Vaughan Esqs. &c. & there having been publick notice given of ye Prayers of s^d Petition & no one appearing to object thereto,

Voted That ye Prayers of s^d Petition be granted & that ye Petitioners have Liberty to bring in a Bill accordingly. Sent up by Mr. Giddinge.

Voted That Joseph Basford be allow'd Eleven shillings & three Pence in full for his acc^t for care & Expences about an Indian. Sent up by Mr. Giddinge.

[P. 508.] Voted That Jonathan Walton be allow'd thirty six shill. & nine Pence in full for his acc^t for Billetting six of Capt. Goffe's men to be p^d out of ye money in ye publick Treasury for ye Canada Expedition. Sent up by Capt. Gage.

Voted That Mr. Secretary Atkinson be allow'd three Pounds eighteen shills. in full of his acc^{t} for printing ye act ag^{t} profane Cursing & swearing to be p^{d} out of ye money in ye Publick Treasury. Sent up by Capt. Gage.

Mr. Secretary bro't down a vote for impowering ye comm^{tee} to dispose of ye Canada Stores & said ye Council were of opinion 'twould be best for ye Commissary to deliver out ye stores to soldiers for Reasons he gave & left s^{d} vote for considerat^{n}.

The House immediately took s^{d} vote under consideration &

Voted That they adhere to their vote. Sent up again by Mr. Weare.

The House took under consideration ye Petition of ye recruiting officers for Canada Expedition Praying for an allow^{e} for their Trouble &c. &c.

Voted That it be dismiss'd.

The House adjourn'd 'til three o'cock.

Post Meridiem

The House met according to adjournm^{t}.

[p. 509.] Mr. Secretary came into ye House & Said he was directed by ye Govr to enquire whether ye House had anything to send up. Mr. Speaker reply'd there was nothing.

Then Mr. Secretary said he was directed by his Excellency to inform ye House that he had adjourn'd ye Genl Assembly 'til Tuesday ye 18th Augt next 12 o'clock at noon.

Tuesday 18th Augt 1747, p. m.

The House met.

Order'd Messrs Sandburn & Jennes Esqs. inform his Excell^{y} that a Quorum of ye House was met who return'd & said they had deliver'd their message & that his Excellency said he would send ye Secretary to ye House.

Mr. Secretary bro't down his Excellency's written message & Governor Shirley's Letter dated July 20th 1747.

The Governor's Message.

[Copied from MS. "Gov^{ts} Messages," in Secretary's office, Vol. 1, p. 467.]

Gentlemen of the Assembly,

I have directed the Secretary to lay before you his Excellency Governor Shirley's letter to me of 20th July, on the Important Subject of attempting the Reduction of Crown Point Fort which I recommend to your immediate attention.

The retaining the six nations in the steady Interest of his Majesty's northern colonies & how far this Government ought to interest themselves in

establishing their friendship, are so clear Truths that I am persuaded I need not so much as urge the necessity of our ingaging vigorously in measures that may tend to secure their alliance.

B. WENTWORTH.

Council Chamber in
Portsmouth August
the 18th 1747.

Gov. Shirley's Letter.

[Referred to above, p. 469.]

Boston July 20th 1747.

SIR—

As I can see no reasonable Prospect of security to the Western Frontiers from the continual Incroachments & Devastations of the Enemy, without effecting the reduction of the French Fort at Crown Point, I shall press it upon the Assembly of this Province, at their next meeting on the 12th of August, in the strongest terms, to join forthwith in the most vigorous measures for making an effectual attempt against it. This ought,—nay, it must be done at all events, cost what it will, in order to drive the Enemy out of our Borders, to cover the country against their present & future Incursions, and (which is a point that most nearly concerns the Honour, Justice, & more especially the Interests of the Colonies) to protect & support the Indians of the Six Nations against the Hostilities & Resentment of the French, which they have provoked by their faithful alliance to us, depending in a particular manner upon our Promises to 'em to dispossess the Enemy of Crown Point.

In the mean while I shall have it at heart to make all the preparations for this necessary Enterprise, that it is in my power to do, before the meeting of the Assembly, that this Province may be in as much readiness as may be, not only to join in it but to promote & set it forward; and I doubt not but your Excellency will act the same part in your Government & concur with me in all prudent measures to bring forward this attempt in the most speedy & effectual manner.

I am, Sir, your Excellency's most
obedient & most humble servant

W. SHIRLEY.

His Excellency Benning Wentworth, Esq.

The House adjourn'd 'til to morrow 9 o'clock.

Wednesday Augt 19th 1747 A. M.

The House met according to adjournment.

Whereas several votes have pass'd in this House relating to ye Treasurer's Allowance for salary &c. since ye vote for his annual allowance of £50 pr annum was expired which votes this House have been inform'd were non concurr'd by ye Honbl Council—now if none of sd votes have pass'd in Council,

Voted unanimously, That ye Treasurer for ye Time being be allowed for his service as Treasurer 60£ pr annum for five years from ye Expiration of the sd vote for 50£ pr annum & that he be allow'd over & above for his Extraordinary service as Treasurer in [P. 510.] ye years 1745 & 1746 £65 pr annum & that he conform his accounts to this vote that ye accounts may be immediately settled. Sent up by Mr. Giddinge.

Voted That ye Hon^bl Theodore Atkinson, Esq. be allow'd fifty Pounds for his common service as Secretary for year 1746 & twenty-five Pounds for his extraordinary services as Secretary in s^d year up to ye 25th March last Past to be pd out of ye money in ye publick Treasury. Sent up by Mr. Macmurphy.

Voted That Thos Packer Esq. be allow'd five Pounds in full for his service as Sherriff to ye 25th of March last past to be p^d out of ye money in ye publick Treasury. Sent up by Mr. Macmurphy.

Voted That ye widows of ye Rev^d Mr. Fitch & ye Rev^d Mr. Shirtleff be allow'd fifty shillings each for ye s^d Gentlemen's attendance upon & praying with ye House for ye year 1746, and paid out of ye money in ye publick Treasury. Sent up by Mr. Macmurphy.

The House adj^d 2 Hours.

Post Meridiem.

The House met according to adjournment.

Voted Unanimously that Mr. D. Peirce Gent^n be Recorder of Deeds & conveyances of Land for this Province for one year from the 16th Day of July last Past & until ye third Day of ye next setting of ye Genl Assembly after ye Expiration of said Term & that he shall not be qualified to act as Recorder until he has given Bonds with sufficient securities to ye Speaker of ye House of Representatives for ye time being in ye sum of two thousand Pounds & taken an oath for ye faithful Discharge of ye office & that ye Fee for recording shall be six Pence a Page each Page to consist of twenty eight Lines eight words to a Line & three Pence for for each attestation of such Record & its being compared with y^e [P. 511.] original & ye same for a copy from ye Records & ye attestation thereon of its being compared with ye Book & that Coll Henry Sherburne Richd Wibird Maj. Eb^r Stevens Eleaz^r Russell & Thos Bell Esqs. be a Committee they or ye Maj^r part of them to take ye Books & Papers belonging to ye s^d office of Recorder into their custody in case of ye Death or Incapacity of ye s^d Recorder or the Expiration of ye term above mention'd & them safely keep until further order of ye Genl Assembly & it is further

Voted y^t s^d Committee or ye maj^r of them take a List of all ye Books now belonging to ye s^d office & a Rec^t for ye same from ye s^d Recorder & that they be under oath for ye faithful Discharge of their Trust & that a Duplicate of ye s^d Rec^t be Lodged in ye Secretaries office. Sent up by Mr. Knight.

The House took under consideration ye Petition of Daniel Doe of Durham yeomen representing his suffering by a Judgment of ye Inferiour Court holden at Portsm^o June 1744 & praying Relief.

Voted That ye Petitioner be heard on his Petition ye 2^d Day of the setting of ye Genl Assembly after ye 15th of Sept. next and that the Petitioner at his own cost serve ye other parties concern'd with *with* a Copy of this Petition & this order of Court that they may have Liberty to shew cause if any they have why ye Prayer of s^d Petition should not be granted. Sent up by Mr. Knight.

Mr. Secretary bro't down a written message from his Excell^y informing ye House that upon ye approach of a considerable Body of Indians at Pennicook he tho't it for ye safety of ye Frontiers to reinforce Pennicook & Rochester with thirty men each for one month & then to be disbanded unless ye House think it for ye safety of ye Government to continue them longer.

Governor's Message.

[Copied from MS. "Gov^rs Messages," Vol. 1, p. 475.]

Gentlemen of the Assembly

Upon the aproach of a considerable body of Indians at Pennycook, I tho't it (with the advice of his Majesty's Council) for the safety of his Majesty's subjects on the Frontiers to reinforce the forces posted at Pennycook with thirty men, & those already posted at Rochester with thirty more for one month, at the Expiration of which time I shall give orders for their being disbanded, unless the House think it for the safety of the Province to continue them longer.

B. WENTWORTH.

Council Chamber in
Portsmouth, Augt 19th 1747.

The House adjourn'd til tomorrow 9 o'clock.

[P. 512.] Thursday August 20th 1747 A. M.

The House met according to adjournment.

Voted that ye following be sent to his Excellency in answer to his message of ye Day before yesterday, viz.

May it please your Excellency

The House have taken under consideration your Excellency's Message of ye 18th inst accompanying Govr Shirley's Letter of ye 20th of July last & recommending ye attempting ye Reduction of Crown Point Fort, and when we know what ye other Governments do towards forwarding this important Expedition we shall be ready to come into our full Proportion on any probable scheem.

Sent up by Mr. Leavitt.

The House adjourned for two Hours.

Post Meridiem.

The House met according to adjournment.

The Recorder gave his Bond this afternoon & took an oath for ye faithful Discharge of his office.

Voted That ye Com^tee appointed to negotiate ye affair with ye Purchasers of Mason's claim (so called) offer ye Deed (which has been read in this House once & again) to said Purchasers in order to be executed.

Voted That John Marshall be allow'd Eight Pounds six shillings & nine Pence three farthings in full of his acc^t for Repairs for ye Fort Boat to be paid out of ye money in ye publick Treasury.

Sent up by Coll. Wallingford.

[P. 513.] Voted That Sam[l] Drown who was wounded at Rochester last spring by y[e] Indians be allow'd five Pounds for his further support to be p[d] out of y[e] money in y[e] publick Treasury. Sent up by Coll. Wallingford.

The House adjourned til tomorrow 9 o'clock.

Fryday 21st August 1747 A. M.

The House met according to adjournment.

A Bill for an act entitled an Act for y[e] more effectual assessing & collecting y[e] Province Taxes &c. Read three times &

Voted That it pass to be enacted. Sent up by Mr. Macmurphy.

Voted That Doc[r] John Dunsmoor be allowed twenty seven shillings & three Pence half Penny in full of his account for visits & medicins administer'd Joseph Simons a soldier scouting under Capt. Goffe 1745 to be p[d] out of y[e] money in y[e] publick Treasury. Sent up by Mr. Macmurphy.

The House took under consideration y[e] Petition of Ab[m] Libby Tho[s] Mardin & others representing y[t] they labour under very great Difficulties with respect to their attendance upon y[e] publick Worship of God &c., Praying y[t] they may be polled off to y[e] Parish of Rye &c. &

Voted, That y[e] Petitioners be heard on their Petition on y[e] 2[d] Day of y[e] setting of y[e] General Assembly after y[e] 15th of Septemb[r] next and that y[e] Petitioners at their own cost serve y[e] select men of y[e] Town of Portsmouth & y[e] Wardens of y[e] first & second Parish of s[d] Portsmouth with a copy of their Petition & this order of Court that they may have Liberty to shew cause if any they have why y[e] Prayer of said Petition should not be granted. Sent up by Mr. Knight.

[P. 514.] Voted That John Gage Esq. & Mr. Zebulon Giddings be a Comm[tee] to consult with y[e] Lawyers about An act for y[e] better observation of y[e] Sabbath.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

The House adjourned til tomorrow 9 o'clock.

Saturday 22[d] August 1747 A. M.

The House met according to adjournment.

Voted That there be allow'd fifty eight shillings & four Pence half Penny in full of y[e] within account to be p[d] out of y[e] money in y[e] Treasury.

Mr. Secretary came into ye House & said he was directed by his Excellency to adjourn ye Genl Assembly til Monday next at 10 o'clock A. M.

Monday 24th August 1747 P. M.

The House met. Upon Information made to ye House of ye Indians having kill'd sundry Persons at Notingh^m & a motion made by Coll. Pet^r Gilman for a scout of men to be marching continually across ye Frontiers,

Voted That his Excell^y ye Govr be desired to give orders for inlisting or impressing thirty good effective men to be imploy'd in scouting on ye Frontiers from Londonderry to Barrington & so up to Ipsom for six weeks making Nottingham their Head Quarters [P. 515.] & that they scout in a Body together or be divided some times into smaller scouts as shall appear most for ye safety of ye People & for ye discovery of ye Enemy. Sent up by Mr. Macmurphy.

The House adjourned til tomorrow 9 o'clock.

Tuesday August 25th 1747 A. M.

The House met according to adjournment.

The House adjourned til 3 o'clock.

Post Meridiem.

The House met according to adjournment.

The Committee appointed to receive & tel over ye money in ye Treasurer's hands to be burnt Report to ye Genl Assembly that they had receiv'd from ye Honble Geo. Jaffrey Esq. Province Treasurer ye sum of two thousand & forty five Pound four shillings & three Pence equal to Bills of Credit of ye new Ten^r in Part for ye Province Tax for ye years 1744, 1745 & 1746 which Bills of Credit ye s^d Com^tee bro't into ye House & were burnt to ashes in ye Face of ye Genl Assembly.

The House adjourn'd til to morrow 9 o'clock.

Wednesday Augt 26th 1747 A. M.

The House met according to adjournment.

A Bill for an Act for making Partition of a certain messuage & adjoining Lands situate in Portsmouth belonging to ye Heirs of Margaret Vaughan Deceased having been read three times

Voted that it pass to be enacted. Sent up by Mr. Giddinge.

The House adjourned for two Hours.

[P. 516.] Post Meridiem.

The House met according to adjournment.

The Committee appointed to receive & tell over ye money in ye Treasurer's hands to be burnt Report to ye Genl Assembly that they had received from ye Honble George Jaffrey Esq. Province Treasurer sixty four Pounds eight shillings new Ten^r more, in Part of ye Prov. Tax for ye years 1744, 1745 & 1746, and also ye sum of four Hundred Seventy three Pounds eleven shills & six Pence Old Ten^r being Part of ye Prov. Tax for ye year 1742 which s^d Committee bro't into ye House & it was burnt to ashes in ye face of the Genl Assembly.

The House adjourn'd til tomorrow 9 o'clock.

Thursday 27th August 1747, A. M.

The House met according to adjournment.

The House took under consideration ye vote of ye Hon^bl Council of ye 20th Instant on Coll Gilman's account for Billeting Scouts & after much Debate thereon had it was

Voted That ye House adhere to their former vote. Sent up by Mr. Sherburne.

Voted That ye account of Maj^r Stephen Greenleaf for Rum, wine &c supply'd ye Troopers at ye Celebration of ye Nuptials of ye Prince of Wales be dismiss'd & that he be allow'd four Pounds six shills. & 4 1-2 d in full for his account for Entertaining four Company's at ye Declaration of War against ye French King pr ye Gov^rs orders to be paid out of ye money in ye publick Treasury. Sent up by Capt. Chesley.

Mr. Secretary bro't down Nich^s Hartford's Petition & his Excell^s message, Govr Shirley's Letter of ye 20th Instant & Maj. Beauharnois's Letter, (Govr of Canada) dated Quebeck July 26, [P. 517.] 1747 concerning setling a cartel between Canada & ye English Governments in North America.

Governor's Message.

[Copied from MS. "Gov^rs Messages," in Secretary's office, Vol. I, p. 479.]

Gentlemen of the Assembly

I have directed the Secretary to Lay before you the Governor of Canadas letter to Mr. Shirley, which he received by the Flagg of Truce lately arrived at Boston, a copy of the articles entered into by the Marquis Beauharnois with the Capt. of said Flagg of Truce, in consequence of his voyage to Boston, Governor Shirley's letter to me of 20th Instant on the purport of the s^d Governor of Canadas letter, and an attested copy of the list of prisoners bro't in the Flagg of Truce belonging to New Hampshire (1), which I desire you

(1) It is matter of regret that the several Papers here referred to cannot now be found.—ED.

may take Immediately under consideration, that I may have time to give an answer to the whole by this Post, the time fixed for the Flagg of Truce's departure being the latter end of this month.

B. WENTWORTH.

Council Chamber
in Portsmouth, Augt 27th 1747.

The Hon^{bl} Mr. Solly bro't down again Coll Gilman's account for billeting Scouts with ye several votes of ye House & ye Council thereon & ye Council's vote of this day whereby they nonconcurr ye vote of ye House of this Day & adhere to their former vote.

Voted That ye Hon^{bl} Council's votes of this Day & ye twentyeth Instant be nonconcurred & that ye House adhere to their former votes. Sent up by Mr. Weare.

The House adjourn'd for two Hours.

Post meridiem.

The House met according to adjournment.

Voted That ye following [answer] be sent to his Excellency ye Govern^{rs} message this Day on ye subject matter of Governour Shirley's Letter to his Excellency with a Letter from ye Govern^{r} of Canada, viz.

May it please your Excellency

The House having taken under consideration your Excellency's message of this Day, are ready heartily to join with ye other Governments in setting a Cartel agreeable to Governour Shirley's first proposal for a general exchange of Prisoners between this [and] Canada are willing to be at our proportionable charge with ye other Governments for redeeming our own Prisoners & when our proportionable Part of ye charge for ye Prisoners come home in ye French Flagg of Truce now at Boston is known we shall be ready to pay it.

Sent up by Mr. Knight.

Mr. Secretary came down with a verbal message & carried Govr Shirley & Govr Beauharnois's Letters &c that he bro't down this morning.

[P. 518.] Inasmuch as Capt. John Furnell of ye Sloop Abigail has made a Demand for Pay for sundry Provision supplyed our Regiment at Louisbourg being goods taken in a Prize by s^{d} Sloop as pr an account put in, and whereas ye s^{d} Capt. Jo^{n} Furnell, has drawn on ye Treasurer to pay ye s^{d} account to ye company of s^{d} Sloop Abigail

Voted That there be paid out of ye money in ye Treasury for ye Expedition against Louisbourg unto ye marriners then belonging s^{d} Sloop Abigail, their widows or legal Representatives the sum of twenty four Pounds in full for said account to be equally divided among ye s^{d} marriners. Sent up by Mr. Knight.

The House adjourn'd 'til tomorrow 9 o'clock.

Fryday August 28th 1747.

The House met according to adjournment.

Voted That Thomas Packer Esq. be allow'd six Pounds in full for House Rent fire wood & Candles for ye year 1746 to ye 25th of March last & fifteen shillings for his carrying ye Governour's orders to Capt. John Bracket, Capt. Dudley Odlin & Capt. John Mitchel of Londonderry to be pd out of ye money in ye publick Treasury. Sent up by Mr. Knight.

Voted That Capt. John Newmarch be allow'd thirty five shillings in full for his account for sundry repairs of ye Prov. Goal in ye year 1737 & for painting ye Fort Canoe &c. in ye year 1743, & for his Servts & Gundaloe to carry soldiers from Portsmo in ye year 1745, to be paid out of ye money in ye publick Treasury. Sent up by Mr. Knight.

[p. 519.] Memeno a vote pass'd yt each man in ye pay of this Prov. on ye Expedition against Louisbourg be allow'd 4s in full for their back allowance when a List of their Names shall be produced.

Voted That Joesph Moulton be allow'd seventeen shillings & six Pence in full for ye Ballc of ye within account to be paid out of ye money in ye publick Treasury for ye use of ye Expedition against Canada. Sent up by Mr. Knight.

Voted That ye accounts of Saml Moore Esq. Commissary for ye Regiment sent by this Government in ye Expedition to Louisbourg be accepted & yt he be discharged of the Provisions & Stores which he receiv'd from ye Government on that account & that ye Ballance due to him on that account being fifty two Pounds two shillings & five Pence half Penny be allow'd & paid him in full of all his service & Demands on ye Government as commissary to be pd out of ye money in ye Treasury for ye Expedition against Louisbourg. Sent up by Mr. Macmurphy.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted That ye thanks of this House be given to Coll. Moore & ye other officers of ye Regiment that went from this Government in ye Expedition against Louisbourg & to the soldiers for their good offices conduct & Behavior in that Expedition & that John Gage Esq. & Clemt March Esq. wait upon ye Field officers & offer ye same accordingly.

[p. 520.] The House took under consideration ye Petition of Nichs Harford which Petition represented that Timothy Bat prosecuted an action of ye case agst ye Petitioners & that ye Petitioner lost ye opportunity of prosecuting his appeal &c. & therefore prayed for Reliefe &c.

Voted That ye Petitioner be heard on his Petition ye second Day of ye setting of ye Genl Assembly after ye fifteenth of Sept

next & that ye Prosecution of y^e *Scire facias* mention'd in s^d Petition be stay'd 'til after s^d Hearing & that ye Petitioner at his own cost serve ye adverse Party with a copy of this Petition & this order of Court that he may have opportunity to shew cause if any they have why ye Prayer of this Petition should not be granted. Sent up by Mr. Macmurphy.

The House adjourn'd 'til tomorrow 9 o'clock.

Saturday 29th August 1747.

The House met according to adjournment.

Whereas there was an allowance of three months Wages for such of ye soldiers in ye Pay of this Government who died at Louisbourg in ye winter of 1745,—and whereas William Hilton was one of such but by mistake in making up ye Muster Roll s^d allowance was omitted, therefore

Voted That there be allow'd & p^d to Joanna Hilton widow of s^d Willm Hilton seven Pounds ten shillings for s^d allowance to be paid out of ye money in ye Treasury for ye Expedition ag^st Louisbourg. Sent up by Capt. Leavit.

[p. 521.] Whereas Jonathan Longfellow by a Warrant from ye Govr has inlisted thirty men to go out after ye Indians, upon ye Scalp Bounty, but representing to ye House that ye men cannot furnish themselves with Provisions & ammunition, therefore

Voted That s^d Longfellow be supply'd with one months Provision & fifteen Pounds Powder & thirty Pounds of Bullets for said men, to receive ye Provisions of Coll Gilman at Exeter s^d Longfellow to give a Rec^t for ye Provisions & ammunition to account & pay therefor if it appears y^t it be misimprov'd or if they recover any scalp or scalps the Price of ye Provisions & ammunition to be deducted out of ye Bounty on ye scalps & y^t s^d Longfellow keep a Journal of ye Time & Travel while out on this affair to be render'd to ye Genl Assembly on oath. Sent up by Mr. Weare.

Mr. Secretary came down & said he was directed by his Exc^y to adjourn ye Genl Assembly of this Prov. to Monday next at ten o'clock & then in his Majesties Name declar'd this House adjourn'd accordingly. Mr. Secretary added y^t ye Govr desir'd ye members would be punctual in hopes of finishing ye Business.

Monday 31st Augt 1747, p. m.

The House met. The Com^tee to audit & examine ye Treasurer's acc^t bro't s^d acc^ts into ye House which were read over & filed.

The House then adjourn'd 'til to morrow 9 o'clock.

Tuesday September 1st 1747.

The House met according to adjournment.

[p. 522.] Voted That ye legal Representatives of Simon Philbrick dec'd, a voluntier in the Expedition against Louisbourg being allow'd fifty two shillings & six Pence for a Gun cutlass Belt & Pistoll lost at Louisbourg & three Pounds fifteen shillings for Wages which was omitted in making up ye muster Roll & which is to make him equal with others, agreeable to votes of ye Genl Assembly, to be pd out of ye money in ye Treasury for ye use of ye Expedition against Louisbourg, *in full of this Petition* (1) & his account & wages. Sent up by Mr. Macmurphy.

Mr. Sherriff Packer came into ye House & inform'd that ye Prov. Goal wanted Repairs & that there was a Breech made in it lately &c. whereupon it was

Voted, Clement March Esq. be a Commtee of this House to join such as may be appointed by ye Honbl Council to inspect ye condition of ye Prov. Goal & to make ye necessary Repairs. Sent up by Mr. Sanborn.

The House adjourn'd 'til three o'clock.

Post Meridiem.

Whereas there was no Determination of ye Bills of Credit of this Province for several years which pursuant to act of ye Province made in ye 15th year of his present Majesties Reign ought to have been yearly, and whereas ye sollicitations of this Province agent for a Reimbursement of ye charges of ye late Expedition agt Louisbourg & his Majesties repaying ye charges this Province has been at upon ye account of ye intended Expedition against Canada, may very much effect ye value of sd Bills both which we are in Expectation of and whereas ye last Determination may be very hurtful & pernicious, to prevent all Doubts & Inconveniency which might otherwise arise:

[p. 523.] Voted unanimously that ye last Determination made by an order of ye Judges of ye Superiour Court dated March 9th 1746, be and hereby is declared void & of no effect and therefore ordered that ye Justices of ye several Courts of Judicature within this Province be & are hereby directed in making up Judgments at any Time before ye first Day of May 1747, to observe and govern themselves by ye Determination first made by order of ye Judges of ye Superiour Court in February 1742 which is agreeable to ye Exchange which ye Bills lately drawn on ye Board of ordinance & other offices of ye crown have been sold for. Sent up by Mr. Sandborn.

Voted That Richard Jennes Esq. & Mr. Meshech Weare be a committee of this House to join such as may be appointed by the Honbl Council to count ye blank sheets now in the Hands of ye Committee for imprinting ye £60000 and put them into ye Prov-

(1) The words in italic seem to be crossed in the Journal.—Ed.

ince Box taking a Rec^{t} therefor of ye Persons that have ye keys of s^{d} Box & render an account of ye whole to ye Genl Assembly. Sent up by Mr. Macmurphy.

Mr. Secretary bro't down again ye vote for regulating ye value of money &c. sent up this afternoon & said ye Council were of opinion that ye House ought to ascertain ye value of ye money agreeable to ye acts of ye Government.

The House adjourn'd til tomorrow 9 o'clock.

[P. 524.] Wednesday 2^{d} Sep^{t} 1747 A. M.

The House met according to adjournm^{t}.

The account of ye Hon^{bl} Geo Jaffrey Esq. Treas^{r} for ye annual & contingent charges of ye Government for ye year 1745 with ye Report of ye Committee thereon being read—

Voted That ye s^{d} account be accepted & allow'd except two articles of Commiss^{s} which are charged at ye Foot of two accounts, viz. at ye Foot of ye account for Prov^{s} for ye Fort deliv'd Capt. Bell for ye year 1745 is charg'd Coms^{s} at 5 pr cent £38: 14: 10 & at ye Foot of ye acc^{t} for ye Provisions & ammunition for scouts for s^{d} year Commis^{s} at five pr cent £13—and that both ye s^{d} sums being £51: 14: 10 old Ten^{r} which is £12: 18: 8 ye new Ten^{r} be deducted out of s^{d} Accounts added to ye Ballance drawn sixty five Pounds of ye Hund^{d} & twenty five Pounds charged p^{d} to ye s^{d} Treasurer in s^{d} account being by ye votes of the Genl Assembly in full for all ye extraordinary service of s^{d} year 1745 and therefore further Voted That ye Ballance due from ye s^{d} Treasurer on the said account is four Thousand five Hundred & seventy two Pounds five shillings & a half Penny new Ten^{r}. Sent up by Mr. Knight.

Whereas by an Act to ascertain ye value of money & of ye publick Bills of Cred^{t} of this Prov. &c. pass'd in ye 15th year of his present Majesties Reign it was enacted among other things that ye Prov. Bills emitted for ye supply of ye Treasury in said year should be valued & taken at ye following Rate, viz. Every Bill of 6: 8 at ye Rate of one ounce Troy w^{t} of Coin'd silver sterling alloy, & all other Bills of said Emission at ye same Proportion, & a severe Penalty laid upon any person or Persons that should willingly give, contract or offer to give or receive more [P. 525.] than six shillings & eight Pence in s^{d} Bills for one ounce of silver Troy w^{t} sterling alloy—and whereas by ye Acts since pass'd for further Emissions of Bills of Cred^{t} of this Prov. ye s^{d} Bills have been made equal in value to s^{d} Bills mention'd in s^{d} act of ye 15th year of his present Majesties Reign & Whereas ye Genl Assembly have in said Act reserved to themselves ye Right of setling once every year in ye month of Sept or Octo^{r} ye value of s^{d} Bills,

Voted unanimously that ye s^{d} act be strictly comply'd with & that ye s^{d} Bills of Cred^{t} be esteemed equal in value as settled &

determined by s^d Act as above mention'd & that all Judges of Courts & Justices of ye Peace within this Prov. take due Notice of it for their Regulation & Government in Entring Judgments & take care that s^d act be put into Execution against any person or Persons that shall presume to violate offend against or break ye same. Sent up by Mr. Giddinge.

The House adjourn'd for two Hours.

Post Meridiem.

Whereas Mr. John Hains has receiv'd a Warrant from his Excell^y for Inlisting a Number of men to go out after Indians upon ye scalp Bounty,—

Voted That when s^d Hains makes it appear that he has inlisted men for said service not exceeding twenty in Number, he be supply'd with one months Provision one Half to be deliver'd when they first set out & ye other Half at a Fortnights End & Half a Pound of Powder & one Pound of Bullets to each man, s^d men to receive ye Provision of Coll Gilman at Exeter, said Hains to give a Rec^t for ye Provisions & Ammunition to be deducted out [p. 526.] of ye Bounty on ye scalp & that said Hains keep a Journal of ye Time & Travel while out—this affair to be render'd to ye Genl Assembly on oath. Sent up by Mr. Macmurphy.

Whereas Mr. Saml Walton by a Warrant from his Excell^y has inlisted twenty men to go out after ye Indians upon the scalp Bounty, but representing to ye House that ye men cannot furnish themselves with Provisions & ammunition therefore,

Voted That s^d Walton be supply'd with one months Provisions ye one half to be deliver'd when ye men set out the other Half at a fortnights End & with ten Pounds of Powder & twenty Pounds of Bullets for said men, The Provisions to be receiv'd of John Gage Esq. at Dover, s^d Walton to give a Rec^t for ye Provisions & ammunition to account & pay therefor if it appear that they have been misapply'd or if they recover any scalp or scalps ye Price of ye Provisions & ammunition to be deducted out of ye Bounty on ye scalp and that s^d Walton keep a Journal of ye Time & Travel while out on this affair, to be render'd to ye Genl Assembly on oath. Sent up by Mr. Macmurphy.

The House adjourn'd 'til tomorrow 9 o'clock.

Tuesday 3^d Sept 1747 A. M.

The House met according to adjournment.

Voted that ye following Report be Enter'd in ye Journal of ye House, viz.

[p. 527.] Prov. of N. Hampshire Sep^t 3^d 1747.

We being appointed a com^tee by ye Genl Assembly to receive from the committee for impressing y^e £60000 for ye Canada Expedition such blank sheets of s^d Bills as there were in their Hands & to make a Report what there is in the Province Box, Do report as follows, viz:

We have receiv'd from ye s^d com^tee three Hundred & thirty five sheets blank of ye great Plate—We have examined the Box & find there one Hundred & sixty seven sheets of ye small Plate & Eighteen sheets of ye Large Plate all Blanks. We also found two Bundles of sheets of different sorts some broken & some Partly signed but as they were unfit for signing we did not take a Particular account thereof.

Now in ye Box Great P^t 282 sheets.
Small D^o. 502.

R. Wibird
Meshech Weare
Richard Jennes
} Com^tee

Voted That the two Bundles of different sorts some broken some partly signed &c mention'd in ye foregoing Report be burnt to ashes before ye Face of ye Genl Assembly, and said Bundles were burnt accordingly.

Mr. Secretary came into ye House & said he was directed by his Ex^y to inform ye House that he had adjourn'd ye Genl Court of this Prov. to Wednesday 23^d of this Instant at Eleven 'clock, & then declar'd ye Court adjourn'd in his Majesties name accordingly.

[P. 528.] Wednesday 23^d Sep^t 1747.

At twelve neither ye Speaker nor a Quorum of ye House were come in.

Mr. Secretary declared he was directed by his Excell^y to adjourn ye Genl Court 'til Wednesday ye 7th Octo^r next & then in his Majesties name declar'd ye Court adjourn'd 'til s^d Time accordingly.

Wednesday 7th Octo^r 1747.

At twelve neither ye Speaker nor a Quorum of ye House were come in.

Mr. Secretary came into ye House & said he was directed by his Excellency to adjourn ye Genl Court 'til Thursday ye 15th Instant at 10 o'clock A. M. & then declar'd in his Majesties Name y^t ye Court was adjourn'd 'til s^d Time accordingly.

The following Gent^n were present when ye Court was adjourn'd viz. Mr. Russell Mr. Sandburne Mr. Bell Mr. Jennes Mr. Knight Mr. Macmurphy Mr. March.

Thursday 15th Octo^r 1747.

Between Eleven & twelve o'clock Neither the Speaker nor a Quorum of ye House were come in. Mr. Secretary came to ye Court House & said he was directed by ye Govr to adjourn ye Genl Assembly 'til Thursday next at ten o'clock A. M. & that his Exc^y desir'd ye members to be punctual. The following members

were present. Mr. Russell, Sherburne, Gage, Sandburn, Giddinge, Leavit, Knight.

The Gov^rs Warrant on ye Treasury for part of his own Salary was sent to him in ye Recess pr his son John.

NOTE BY THE EDITOR.

Here ends the volume containing "The Journal of the House 1742-1747." The portion of the *Journal of the House* which follows, is copied from a MS. bound volume in the Secretary's office, labeled "JOURNAL OF THE HOUSE, 1747-1755."

[P. 13.] Anno Regni Regis Georgii secundi magnæ Brittaniæ Franciæ & Hiberniæ vigesimo primo annoque Domini 1747.

A Journal of the House of Representatives at a general assembly of his Majestie's Province of New Hampshire began & Held at Portsmouth in said Province on Wednesday ye fifth Day of June 1745 & thence continued by sundry adjournments & Prorogations to ye 22^d of Octo. 1747.

Thursday 22^d Octo^r 1747 P. M.

A Quorum of ye House met.

Mr. Secretary bro't down Extracts of a Letter from his Grace ye Duke of New Castle to Gov. Shirley dated 30th May 1747 also a Letter from Gov. Shirley & Knowls dated 10th of this Instant Octo. 1744—Also his Excellency Gov. Wentworth Speech to ye Council & Assembly which speech containing matters of Importance Order'd that a messenger be sent to call ye absent members.

[The following is the message of his Excellency copied from MS. Gov^rs Messages in Sec^ys office, Vol. II, p. 1.]

Gentlemen of the Council and Assembly

With this Message the Secretary has my Directions to lay before you extracts of a Letter from his Grace the Duke of New Castle to Govr Shirley bearing date 30th May 1747, wherein his Majesty has been pleased to appoint their Excellencies Governor Shirley and Governor Knowles to settle and adjust with the respective Governors all matters and things relating the Canada Expedition.

I have also directed Governor Shirley's and Governor Knowles joynt letter to me to be laid before you, wherein I am desired as soon as possible to transmitt to them the charges of this Government in setting on foot the Canada Expedition—Also muster rolls of the men I caused to be levied for that service in obedience to his Majesties commands.

And to give the greater dispatch to the King's Command, I have thought proper to Lay the original extracts of his Grace's letter to Governor Shirley as they came authenticated to me, together with Governor Shirley's and Governor Knowles's letter before both Houses, though every paragraph does not so immediately come before you, hopeing thereby you will take the opportunity of confering on the importance of the subject, and resolve on measures that may best answer his Majesties expectations in conformity to his Royal Intentions.

Gentlemen

Having communicated every thing that has come to my hand respecting the Canada Expedition, I think it unnecessary to be further particular, But shall in general recommend it as a matter essential to the Honour of the Government not to distinguish any particular part of the Charge incur'd by this Expedition, but to pay off the whole charge that has arisen, including officers and men, out of the £60,000 when their pay shall be ascertain'd by the persons the king has been pleased to appoint.

The pay of the officers and men by the Last paragraph of the Duke's letter to Governour Shirley you may observe his Majesty expects the loan of, from the respective Assemblies, untill there can be a Parliamentary provision made to repay it.

My reasons for adviseing you to pay the whole charge of the Expedition if the £60,000 emitted for that service will extend to it, are, because I esteem it will be the Interest of the Government, and I am very certain if you submitt it to his Majesty what part he will be pleas'd to pay, it will be a greater part than you would now determine upon yourselves—This is a point worthy your consideration and I hope you will duly weigh it and resolve accordingly.

As my time will be fully employed in Prepareing what I must necessarily transmitt to Governor Shirley and Governor Knowles, and as the Committee must be very diligent to furnish me with what I shall require of them, I purpose you shall only sitt till I have your resolves on the grand points I have mention'd, and it will be for the imediate service of the Province to put off any other business till a further day, in which you shall have my hearty concurrence.

B. Wentworth.

Council Chamber in
Portsmouth October 22, 1747.

Letter from Gov. Shirley & Gov. Knowles to his Excellency Gov. Wentworth.

[Copied from Belknap Papers, pp. 258, 259. No. 62.]

Boston, October 10, 1747.

Sir—The Inclosed is an Extract from a Letter from the Duke of New Castle to Governour Shirley signifying his Majesty's Commands to us upon the several matters contained in it. In obedience to which we must desire you'l be pleas'd to Transmit to us by return of this Express or as soon after as you can, Muster Rolls & Lists of the several officers and soldiers rais'd within your Government for his Majesty's service, and days on which the soldiers were Inlisted into it (which last may be best done by attested copies of the Enlistment themselves) also an account of the Deaths of such of the officers and men which have happened since they entered into the service with the respective Times when they happened, as also of the Dismissions and Desertions of any of the soldiers and times of their being discharged or Deserting together with an account of their Furloffs which have been granted from time to time to the soldiers or any of them & for what time as also upon what command or Duty the officers and men have been respectively employed since the Time of their entering into the service, together with a Muster Roll or List of the officers and effective private Soldiers now remaining in the service, all which Rolls, Lists and Acc^ts we desire may be duly certified by the proper officers under their Hands upon oath taken before Yourself and attested by your Excellency: also that you wou'd transmit to us an acc^t of the charges of the cloathing, arms and acoutrements of the soldiers and of all other Expences which have been Incurr'd on account of the Expedition and are not to be defray'd by the Colony under your Excellency's Governm^t from the time of their being Levied to the time of your attesting the said accounts, together with the vouchers thereof all duly certified upon oath by the proper parties

before you and a copy of the Proclamation Issued by your Excellency for the Encouragement of Troops Inlisted into the aforesaid service with copys of the votes of your Assembly touching the Bounty and subsistance of Provisions granted by them for the Troops, and we must further desire that your Excellency wou'd in pursuance of his Majesty's orders communicate to us your sentiments and opinions as to the manner of Discharging these officers and soldiers & upon what Foot it may best be done, having due regard to his Majesty's Commands to us for doing it in the most frugal manner, and his Expectation in this affair; and this we desire your Excellency would forthwith do as a great charge is running on till the soldiers shall be dismissed by us.

We must also desire your Excellency in obedience to his Majesty's commands to recommend it to your Assembly to furnish such sums of money on credit as may be wanted to pay off the soldiers which your Excellency will perceive by the Extract of the Duke of New Castles Letter is to be provided for by Parliam^t as soon as the account of the whole charge Incurred by raising Levies shall be transmitted to his Grace by us, and forthwith to let us know your Excellency's opinion of the success of such an application, as also to let us know whether you have advanced any and what sums of money to the officers and soldiers or any of them on account of their Pay, and after what rate and to what time they are paid.

And as your Excellency perceive we are commanded by his Majesty to retain such a number of the American Levies in his pay as we shall judge sufficient for the security of Nova Scotia against the Enemy's attempts untill a Reinforcement can be sent thither from Great Britain, the preservation of which Colony is of the greatest Importance to the safety and welfare of all his Majesty's Northern Colonys, and also that Mr. Shirley is ordered by his Majesty to compleat his own and Sir William Pepperell's as likewise Lieut. General Phillips Regim^t out of those Troops, we hope your Excellency will assist the officers who shall be sent to raise Recruits for those Purposes into your Excellency's Government with your Influence and authority and contribute everything in your Excellency's Power to their success and the promoting of his Majesty's service.

We think it clear that the Arms and Accoutrem^ts of the soldiers are to be returned, and where the men have lost them their value must be stopp'd out of their Pay, or rather the several Captains are to be call'd upon for the arms of their respective Companies and are chargeable therewith, which you will be pleas'd to consider. And we must desire your Excellency will forthwith let us know your opinion of what pay it may be reasonable to allow the officers as well as men for their service.

We are your Excellency's
most obed^t Hble servants

W. Shirley
Chas. Knowles.

His Exc^y Govr Wentworth.

Indorsed—"Govr Knowles & Shirley Letter on the Duke of New Castle's Letter, 30th May 1747."

Extract of a Letter from his Grace the Duke of New Castle to Governour Shirley, dated 30th of May 1747.

[Copied from "Belknap Papers" p. 259.]

"His Majesty has been pleas'd to direct me to signify to you his pleasure that you should immediately appoint a meeting with Commodore Knowles at such place as shall be agreed upon, & consider with him the present state of Nova Scotia & Louisbourg and take the proper measures for the Defence of those places.

"It is his Majesty's pleasure you should Endeavor to compleat from out of the Americans which are now rais'd for his Majesty's service Sir William Pepperell's Regiment and your own.

"Lieut. General Phillip's Regiment is I am afraid very weak. I will however send him his Majesty's orders to send what Recruits can be got from hence, and you will also Endeavor to have his Regiment compleated out of the Americans.

"It is also his Majesty's pleasure that Mr. Knowles & you should consider what number of Americans will be really wanted for the service above mention'd, and the king would have you retain so many as may be absolutely necessary for that service, & no more, and the King hopes that a small number of Americans with his Majesty's Forces which you have may be sufficient for that purpose, as the Expence of those Americans is very great; and as to the Americans in general except only such as may be wanted for the service above mentioned, It is his Majesty's pleasure that you in conjunction with Commodore Knowles should thank them in such manner as you shall think proper, & immediately discharge them upon the best & cheapest foot you can, and in order thereto you will consult with the respective Governours upon the manner of doing it, and you will transmit to his Majesty an immediate account of what you shall do therein.

"As it is his Majesty's Intention that the Americans should be immediately discharged, except only such few as are mentioned above, the manner of discharging them, the satisfaction for their Time &c. must be left to Commodore Knowles & yourself: The King however is persuaded you will do it as cheap as possible.

"And as these American Troops have done little or no service hitherto, It is to be hoped they will not expect to be paid in the manner they would have been had they actually been Employed on service: And it seems highly reasonable that such of these Troops as have remained in the Province where they were Enlisted should be content with less Pay than such of them as may have march'd into other Provinces.

"When you & Mr. Knowles shall have mett and fully considered the service to be undertaken in the manner above directed and shall have agreed what number of Americans it will be necessary to keep in pay, for that purpose, It is his Majesty's pleasure that you should procure an account of the whole Expence incurred on account of the American Troops from the time of their being levyed, to their being discharged, and when the same shall be fully adjusted and liquidated you will transmit it to me with the proper vouchers from the several Governours that it may be laid before Parliament, to the end that Provision may be made for the Payment, and in the meantime in order to prevent any complaint amongst the men that have been Enlisted (as well those that shall be discharged, as those that shall continue in service) for want of immediate pay, you will recommend it to the Governours of the Provinces where these Levies have been made to procure credit from the respective Assemblies for that purpose, which his Majesty hopes may be done without Difficulty.

A Copy WM. SHIRLEY CHAS. KNOWLES.

Indorsed "Extracts of a Letter from his Grace the Duke of New Castle to Govr Shirley, May 30th 1747. Sign^d as a copy pr Charles Knowles & Wm. Shirley, on the Canada Expedition."

The House adjourned til tomorrow 9 o'clock.

Fryday 23^d Octo. 1747 A. M.

The House met according to adjournment.

Voted, That ye Hearings of all Petitions laying before this House be deferr'd til ye Second Day of ye Setting of ye Gen'l Assembly after the first of Nov. Next.

[P. 14.] Voted That Sam'l Drown who was wounded at Rochester by ye Indians be allow'd five Pounds more for his assistance & Relief to be pd out of ye Money in ye publick Treasury. Sent up by Capt Gilman.

Voted That ye Hon. Theodore Atkinson, Esq be allow'd Eleven Pounds five shillings & four Pence in full of Mr. Hancock's Acct. for Books & Paper to be p^d out of money in ye publick Treasury. Sent up by Capt Gilman.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted, That all ye accounts relating ye intended Expedition against Canada be forthwith prepared in order to be laid before the Commiss^rs appointed by his Maj^y to receive & examine them. Sent up by Mr. Giddinge.

Voted That the following be sent to his Excellency.

May it please your Exelly.

The House have had the important matters mentioned in your Excellency's Message of Yesterday under Consideration & have pass'd a Vote that all acc^ts relating to ye intended Expedition ag^t Canada be forthwith prepared in order to be laid before ye Commiss^rs appointed to receive & examine them.

As to ye other matters mention'd we think that as New Hampshire is one [P. 15.] of ye least of ye Governments concern'd it will be a Point of Prudence for us to defer coming to a Resolution on those Heads till we hear how the other Governments will proceed & in ye mean time should be very glad if your Excellency could see your Way clear to put us on ye Same Footing with our Neighbors by drawing for ye Charge of purchasing Cloathing & arms for ye Canada soldiers & ye Charge of Sending the Forces to ye Relief of his Maj^s Garrison at Annapolis Royal.

Sent up by Mr. Sandburn.

A message to his Excellency by Messrs Gilman & Gage Esq^rs to know if his Excell^y would draw for ye Charge of purchasing Cloathing & arms for ye Canada Soldiers & ye Charge of sending ye Forces to ye Relief of his Maj^s Garrison at Annapolis Royal — who return'd that they had deliver'd their message.

Mr. Secretary came into ye House & said that his Exell^y could not draw for any money but that it would be best that all ye acc^ts should go together & trust to his Majesty for ye Payment of ye whole.

N. B. The foregoing message & answer should have been enter'd before ye two preceding Votes.

The House adjourn'd 'til to morrow 9 o'clock.

Saturday 24th Octo. 1747.

The House met according to adjournment.

Voted That ye Muster Roll of Capt John Goffe for four men

posted at Blaisdells Perhams & Fosters Garrison near Amoskeag from 30th Augt 1746 to ye 29th Sept following amounting to twelve Pounds for Prov. & ammunition be allow'd & pd out of ye money in ye Treasury. Sent up by Mr. Knight.

[P. 16.] A Message to his Excellency by Messrs Coll Gilman & Mr. Sherburne to inform him that ye House were generally disposed to lend his Majy ye money asked for in his Excelly message as far as ye money in ye Treasury will go & to make up ye Remainder by a further Emission provided his Majestys repaying ye same be ye only Fund for bringing in & sinking all that shall be emitted or paid on this occasion. His Excellency answer'd that he would consent to ye sd Emission & Payments on sd Terms.

Mr. Secretary came into ye House before ye above Messengers return'd & said he was directed by his Excellency to inform ye House that he had adjourn'd ye Genl Assembly of this Prov. to Tuesday ye tenth of Nov. next at ten o'clock A. M. & then in his Majesties Name declar'd ye Court adjourn'd accordingly.

The Secretary demanded & receiv'd Gov. Shirley & Knowles their Letter & ye Extracts from his Grace ye Duke of New Castles Letter in ye Recess of ye Genl Assembly.

Tuesday 10th Nov. 1747.

The House met at 3 o'clock P. M.

Order'd That Mr. Sandburn & Mr. Knight inform his Excellency that there is a Quorum of ye House met.

Mr. Secretary bro't down his Excellency's written message also Extracts of a Letter from ye Lords Commissrs for Trade and Plantations dated White Hall June 4th 1747.

His Excellencys Message, Nov. 10, 1747.

[Copied from MS. "Governor's Messages," Vol. II, p. 9.]

Gentlemen of the Assembly,

The answer you gave to my message of the 22d put it out of all doubt with me that it was your intention to furnish his Majesty with the sum he desired for paying off the troops in his pay Levied within this Government for the Expedition intended against Canada, for wch reason I had given the Secretary directions to adjourn the General Assembly to this day, before your Message by Colo Gilman & Mr. Sherburn was delivered to me and the adjournment was necessary that the comtee might be preparing the accounts relating the charges that have been Incurr'd on account of said Expedition.

I am now hopeing the Intentions of the House agreeable to your Message will be with the greatest dispatch carried into Execution, or I must rely on some other way for securing the sum that will be wanting for that service.

I have by the last ships recd a Letter from the Right Honbl the Lords Commissioners for Trade & Plantations, dated June 4th 1747 in which I find the Legislature of the Massa have in the most private manner, (& I think I may justly term it so) Petition'd his Majesty to be reimbursed the Expences they have been at in defending Fort Dummer & the rest of the Frontiers, In which I am apprehensive they have some views that may greatly Injure the increase

of this Government & their Lordships have directed me to transmit an account of what the Assembly have done in that affair, & by an Express yesterday I have wrote their Lordships (hoping it may *save* Governor Knowles Express which he is sending for England) praying that their report might be defer'd until I had an opportunity to send authenticated accounts from the Proper officers of the Expence this Government had been at in defending the frontiers, & the measures taken for the support of Fort Dummer, & that the House may have a perfect Idea of this Plot of the Massachusetts I shall order the Secretary to lay before you the several paragraphs of their Lordships letter which relates thereto.

Gentlemen

I think this Government may wth more propriety address his Majesty that the moyety of the Expence in takeing out the Commission on the affair of the boundarys & the moyety allso of the expences in running the lines, the whole of wch has been paid by New Hampshire, should be paid by the Mass^s agreeable to the Royall orders, which altho' it has been often demanded, yet that Government have taken no notice of it.

I think allso this Government would with a better appearance of Justice on their side, Petition his Majesty for the Expences Incurr'd at his Majesty's Fort William & Mary in defending the Towns at Kittery & Berwick, from the Entrance of Piscataqua Harbour to Salmon Falls, from the erecting that Fort to this day.

I esteem it my duty to the King to preserve every part of the Province committed to my Governm^t and when you are apprised of measures that tend to weaken you, every well wisher to the Country must Exert himself for her defence, & in all your resolves that are for his Majesty's service & the good of the Province, you are sure of my hearty concurrence.

B. WENTWORTH.

Council Chamber in
Portsm^o, November the 10th 1747.

Extract of a Letter from the Right Honourable the Lords Commissioners for Trade and Plantations.

[Copied from "Gov^rs MS. Messages," Vol. II, p. 13.]

Whitehall, June 4th 1747.

"We should be glad If you would transmitt to us, as soon as possible, an account of what the Assembly have done in your Province for the support of Fort Dummer and the rest of the Frontiers, in obedience to his Majesties order in Council. We having now under our consideration a Petition of the Legislature of the Province of the Massachusetts Bay praying to be reimbursed the Expenses they have been at in defending Fort Dummer and the rest of the Frontiers, and that your Government may be directed to receive and provide for the said Fort for the future Referred to us by an order of the Lords of the Committee of Council, together with a Letter from you to the Duke of Dorset, Lord President of the Council relative to this matter.

Our report upon this affair is deferred at the request of the agent of the Province of the Massachusetts Bay, who informed us, that he expected some further accounts from Mr. Shirley relating to this affair, and therefore we give you this Notice that we may Receive all possible Information of this matter."

Copy—attest pr. Theodore Atkinson, Sec^y.

The House adjourn'd 'till tomorrow 9 o'clock.

[P. 17.] Wednesday Nov. 11th 1747.

The House met according to adjournment.

Alexr Roberts one of Capt Danl Lad's Scout who was taken last August was twelve month at Pennecook, David Bean & Edwd West were call'd into ye House & examin'd upon Oath concerning a human Scull Bone Which they bro't into ye House upon a Supposition that it was ye Scull of a Indian which sd Roberts kill'd & saw buried at sd Pennecook at ye Time aforesaid (1).

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted, That ye Hearing of ye Petitions that are now laying before ye House be farther deferr'd 'til ye 2d Day of ye Setting of ye Genl Assembly after the tenth of December next.

Voted, That Josiah Foss be allow'd fifteen Shillings in full for his going Express to Chester to be paid out of ye money in ye publick Treasury. Sent up by Mr. Knight.

Whereas Alexander Roberts & others have been carefully examin'd upon Oath of & concerning a Human Scull Bone which sd Roberts & Company found at or near ye Place where sd Roberts supposes he killed an Indian man & where he saw sd Indian buried & inasmuch as it appears to ye House upon ye Evidence produced yt ye said Scull is really ye Scull of ye aforesaid Indian therefore

[P. 18.] Voted That there be pd out of ye money in ye Publick Treasury unto ye said Alexr Roberts & Company ye Sum of Seventy five Pounds in ye following Proportions Vizt to ye Sd Alexr Roberts ye Sum of fifteen Pounds to Daniel Gilman ye Sum of Seven Pounds ten shillings to ye Widows of Jonath & Samuel Bradley each Eleven Pounds five shillings & to ye Heirs or legal Representatives of Obadiah Peters John Lovekin John Bean & Wm Stickney each ye sum of seven Pounds ten shillings. Sent up by Mr. Knight.

The House adjourn'd 'till tomorrow 9 o'clock.

Thursday 12th Nov. 1747.

The House met according to adjournment.

Whereas his Excellency has been pleas'd in his written Message of ye tenth Instant (among other things,) to inform ye House that he had received a Letter from ye Right Honbl ye Lords Commissioners for Trade & Plantations (a copy of some Extracts of which Letter his Excellency has also laid before ye House) by which Message & Extracts we understand that ye Legislature of ye Massachus have in ye most private Manner Petitioned his Majesty to

(1) See "Bouton's History of Concord," pp. 157-166.—Ed.

be reimburs'd ye Expenses they have been at in defending Fort [p. 19.] Dummer & ye rest of ye Frontiers by which conduct of ye Massachusets we are apprehensive they have some Views that may greatly injure ye Increase of this Government—And inasmuch as their Lordships have directed his Excellency to transmit an account of what ye assembly of this Province have done in s^d^ affairs,

Voted That Thos Wallingford Esqr & Mr Henry Sherburne jun^r^ be a Comm^ee^ of this House to join such as may be appointed by ye Hon^e^ Council to examine ye Premises & in ye Name & on ye behalf of this Government to prepare & transmit to ye Agent of this Province to be laid before their Lordships a true State of ye above mention'd Affair & thankfully to acknowledge ye Favour their Lordships have done us in apprising us of ye above mention'd Affair & thankfully to acknowledge ye Favour their Lordships have done us in apprising us of ye Massachusetts Design & of giving us this opportunity of answering for our Selves & that S^d^ Com^tee^ prepare an Address to his Majesty that ye Moiety of ye Expence in taking out ye Commission for setling ye Boundaries & ye moiety also of ye Expence in running Lines may be reimburs'd us agreeable to ye royal order which (altho' it has been often demanded of ye Massachusets yet that Government still refuses to refund ye Same. And also that the Massachusets reimburse us a proportionable Part of ye Expence that has accrued on his Majestie's Fort W^m^ & Mary in covering & defending that part of y^e^ [p. 20.] Prov. of ye Main that borders on Piscataqua River from ye Entrance of S^d^ River to & beyond ye furthest head thereof & do & transact any thing further that may be proper & necessary for s^d^ Committee to do in s^d^ Affairs & lay ye Whole before ye Genl Assembly as soon as may be. Sent up by Mr. Sanburn.

The House adjourned 'til 3 o'clock.

Post Meridiem.

The House met according to adjourn^t^.

Mr. Sheriff Packer being admitted at his Request moved that ye Prison House might be repair'd & made comfortable &

Voted That Richd Jennes Esqr be a Comm^ee^ of this House to join such as may be appointed by ye Hon^l^ Council to inspect ye Condition of ye Prison House & make ye necessary Repairs. Sent up by Mr. Macmurphy.

The House adjourn'd til to-morrow 9 o'clock.

Fryday Nov. 13th 1747.

The House met according to adjournment.

Voted That his Excellency be desir'd to compell those who by Virtue of Beating Orders receiv'd money out of ye Treasury for Bounty for such as should enlist for ye intended Expedition ag^t^

Canada & have not desposed of S^d^ Money for ye Use aforesaid forthwith or as soon as may be to refund ye same. Sent up by Mr. Knight.

[P. 21.] Voted That his Excellency be desir'd to give orders that Capt Danl Ladd may be forthwith compelled to refund ye Publick money which he has in his Hands. Sent up by Mr Knight.

Voted That his Excellency be desired to give orders for enlisting fifteen good effective Men five of s^d^ men to be posted at Canterbury & five at Pennecook & five at Contoocook for four months next ensuing that none of s^d^ men be Inhabitants of any of ye aforesaid Towns & that s^d^ men be order'd to meet at some convenient Place once every Week or ten Days & set out to scout as his Excellency shall think proper to order And that said men be billeted by ye Inhabitants of ye aforesaid Towns & that they be allow'd Ten Pence half penny p^r^ Day for each man. Sent up by Mr. Knight.

Mr. Secretary bro't down last Night ye memorial of Danl Ladd jun^r^ ye Petition of Messrs Stevins Eastman & compane & ye Petition of ye Inhabitants of ye Town of Rochester.

Mr. Secretary just now came into ye House & said he was directed by ye Govr to desire ye House to suspend their acting upon lending money to his majesty for ye use of ye Canada Expedition 'til ye return of ye Post to know whether ye House would advise his Excellency to make another Demand of Fort Dummer or not.

Mr. Secretary bro't down ye Petition of ye Proprietors of Contoocook.

May it please your Excellency,

In answer to your Excellency's Message by Mr. Secretary this morning The House are willing to wait ye Return of ye Post before they come to a Resolution about lending his Majesty money to pay off ye Canada men for y^e^ [P. 22.] Reasons mentioned in your Excellency's Message. And as to what relates to ye further demanding Fort Dummer The House are of opinion that ye Demand already made by your Excellency may be sufficient.

The House adjourn'd for two Hours.

Post Meridiem 1747.

The House met according to adjournment.

The House took under Consideration ye Petition of ye Inhabitants of ye Town of Rochester praying for a Tax on ye first and Second Division Lots in s^d^ Rochester belonging to ye nonresident Proprietors &c.

Voted That ye Petitioners be heard on their Petition ye Second Day of ye setting of ye Genl Assembly after ye first of Jan^r^ next & that ye Petitioners at their own cost advertise ye publick two or three Weeks successively between this Day & ye aforesaid second Day in ye Post Boy & Evening Post News Papers (so called) of ye Prayer of ye Petition & this Order of Court that

Every one may have Opportunity to shew Cause if any there be why ye Prayer of s^d^ Petition should not be granted. Sent up by Maj. Davis.

The House took under Consideration ye Petition of Joseph Coffin for & in behalf of ye com^tee^ of ye Proprietors of Contoocook which Mr. Secretary bro't down this forenoon &

Voted That s^d^ Petition be dismiss'd.

[P. 23.] The House took under Consideration ye Petition of Richd Brewster a Volunt^r^ on ye Expedition against Louisbourg praying for an allowance for Sundrys Lost on ye Attack of ye Island Battery.

Voted That s^d^ Richd Brewster be allow'd sixteen shill^s^ & nine Pence in full for s^d^ Petition to be p^d^ out of ye money in ye Treasury for ye Louisbourg Expedition. Sent up by Maj. Davis.

The House adjourn'd 'til tomorrow 9 o'clock.

Saturday 14 Novr 1747.

The House met according to adjournment.

Mr. Secretary came into ye House & said he was directed by his Excellency to inform ye House that he had adjourn'd ye Genl Assembly of this Prov. 'til Wednesday next at ten o'clock A. M. & added that ye Govr desir'd ye Members would be pretty punctual & then in his Majesties name declar'd ye Court adjourn'd accordingly.

Wednesday 18th Nov. 1747.

The weather being very tempestuous & neither ye Speaker nor a Quorum of ye House being come in between twelve & one Mr. Secretary adjourn'd 'til three o'clock.

Post Meridiem

There not being a Quorum come in The House adjourn'd 'til tomorrow 9 o'clock.

[P. 24.] The House met according to adjournment.

Order'd That Coll Wallingford & Ja^s^ Clerkson Esq. inform his Excel^y^ that there is a Quorum of ye House met who return'd that they deliver'd their Message.

Mr. Secretary came into ye House & said he was directed by his Excellency to inform ye House that he had rec'd no further Intelligence from Govr Shirley which he attributes to ye late Disorder at Boston & desir'd ye House would proceed on their Business without any Dependance upon him for further Intelligence.

The House adjourn'd 'til three o'clock.

Post Meridiem.

House met according to adjournment And after receiving & debating Sundry Acct^s &c.

The House adjourn'd 'til to morrow 9 o'clock.

Fryday 20th Nov. 1747.

The House met according to adjournment.

Dr.		Cr.	
Dr Capt Jeremh Clough to ye Provce of N Hampshr to Bills of Crd rec'd out of ye Treasury as pr. ye Treasurers Account	£100: 0: 0	By ye Amount of his Muster Roll allow'd for six Men four months from 5th of Jany to 26th April	69: 16: 0
		Due from Capt Clough	30: 4:
			£100: 0: 0

Voted That yr said Muster Roll be rejected being without any Grant from ye Government or Order from his Excellency ye Governour & that sd Muster Roll be allow'd & that ye Balance of ye [p. 25.] above amount be forthwith pd by Capt Clough to ye Treasurer being thirty Pounds four Shillings. Sent up by Mr. Knight.

Voted That Jos Moulton junr be allow'd four Pounds fifteen shills in full for his Acct going Express to Boston Hampton falls Exeter & New Market to be pd out of ye Money in ye Treasy. Sent up by Capt Jennes.

Voted That ye Muster Roll of ten Men posted at Nottingham by order of Coll Petr Gilman Amounting to ninety five Pounds Eight Shillings be allow'd & paid out of ye Money in ye Treasury. Sent up by Coll. Wallingford.

Voted That ye Muster Roll of Six Men posted at Barrington amounting to fifty six Pounds nine Shillr & ten Pence be allow'd & paid out of ye Money in ye Treasury. Sent up by Coll Wallingford.

Voted That Majr Davis's eight Muster Rolls for thirty Men from 15th April to ye 16th of Octor last & thirty men more for one month amounting to three Hundred & forty five Pounds fifteen shillings & nine Pence be allow'd & pd out of ye Money in ye publick Treasury. Sent up by Coll Wallingford.

The House Adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Whereas his most gracious Majesty has by his Grace ye Duke of New Castle's Letter to Govr Shirley (some Paragraphs of Which his Excellency ye Governour has been pleas'd to lay before this [p. 26.] House) has desir'd Credit from the respective Govern-

ments to pay off his Majesties Troops raised for ye intended Expedition against Canada til Provision is made by ye Parliament for repaying ye whole Charge,

Voted, That when ye Muster Rolls & Men employ'd in defending ye Frontiers ye year 1747 are allow'd & paid off out of ye Money in ye Treasury that ye Remainder of s^d Money be lent to his Majesty for paying of his s^d Troops & if that is not sufficient that such a further sum be emitted as may be necessary for ye afores'd End & that his Majesties repaying ye sums already expended for setting on foot s^d Expedition & farther to be expended for ye use aforesaid to be ye only Fund for bringing in Sinking all ye Bills of Credit that have or may be paid out of ye Treasury on account of ye s^d Expedition against Canada & ye Payment of his Majesties s^d Troops. Sent up by Mr. Macmurphy.

The House adjourn'd 'til to morrow 9 o'clock.

Saturday 21st Nov. 1747.

The House met according to adjournment.

Voted That Danl Peirce be allow'd ten Pounds ten Shill^s & five Pence in full for his Acc^t for Books for Records Paper &c. to be paid out of ye Money in ye publick Treasury. Sent up by Coll Wallingford.

[P. 27.]. Voted That Capt Eastman's Muster Roll for thirty men sent up to Penecook by ye Governour's Special Order for one Month from ye first of Augt last amounting to Eighty five Pound Six Shillings & Six Pence deducting fifty Pound Cash rec'd out of ye Treasury ye Ballance then being thirty five Pound Six Shillings & Six Pence be allow'd & paid out of ye Money in ye Treasury. Sent up by Coll Wallingford.

Voted That Capt John Goff's Muster Roll of Men posted at Souhegan East Souhegan West Monson & Hollis from ye 29th May last to ye 16th Octo^r amounting to two Hundred & Eighty Pounds four Shillings & two Pence three farthings be allow'd & paid out of ye publick Treasury. Sent up by Col Wallingford.

Voted Maj Zacha^s Lovewell's five Muster Rolls amounting as follows Viz^t. that

No. 1	£392 :	3 :	1–2
2	250 :	4 :	11
3	235 :	19 :	2
4	414 :	6 :	7 1–2
5	130 :	19 :	7 1–2
	£1423 :	13 :	4 1–2
Deduct^g Money he rec'd from ye Treasury .	350		
	£1073 :	13 :	4 1–2

& that ye Ballance being one thousand & seventy three Pounds thirteen Shillings & four Pence half Penny be allow'd & paid out of ye money in ye Treasury. Sent up by . . . . . .

Voted That Capt Bells Muster Roll for himself & ten men amounting to one Hundred & Eight Pounds twelve Shill^s in full be allow'd & pd out of ye Money in the publick Treasury. Sent up by Coll Wallingford.

[p. 28.] Voted That ye Muster Roll of nineteen Rye men for service at fort W^m & Mary painting Guns carriages &c. amounting to nine Pounds 9 shill^s be allow'd & paid out of ye Money in ye publick Treasury. Sent up by Coll Wallingford.

The Hon^l Mr. Sheafe bro't down ye Petition of many of ye Freeholders & other Inhabitants of ye Town of Dunstable representing some irregular Practices in a late Town Meeting in s^d Dunstable praying Relief for Reasons in s^d Petition mentioned. The House took said Petition under Consideration &

Voted That ye s^d Petitioners be heard on their Petition the Second Day of ye Setting of ye General Assembly after the first of Jany next & that ye Petitioners at their own Cost Serve ye adverse Party with a Copy of their Petition & this order of Court that they have Liberty to shew Cause if any they have why ye Prayer of s^d Petition should not be granted. Sent up by Dr March.

Mr. Secretary came into ye House & said he was directed by his Excellency to inform ye House that he had adjourn'd ye Genl Assembly of this Prov^e to Tuesday ye 1st of December next at ten o'clock A. M. & then in his Majesty's name declared ye Court adjourn'd to s^d time accordingly.

[p. 29.] Tuesday 1st Decemb^r 1747, P. M.

Order'd That Mr. Giddinge & Mr. Knight inform his Excellency that there is a Quorum of ye House met who return'd they had deliver'd their Message.

The House adjourn'd 'til to morrow 9 o'clock.

Wednesday 2^d Decr 1747.

The House met according to adjourn^t.

Voted That ye Committee of War for ye Expedition against Canada as soon as they can conveniently dispose of all the Provisions & Stores (War like Stores excepted) which remain in their Hands & which were bo't for ye use of s^d Expedition for ye most they can by publick Vendue & render acc^t thereof to ye Genl Assembly as soon as may be. Sent up by Capt Leavit.

The Hon^l Mr. Wibird bro't down ye Petition of Samuel Cambell

of Windham age't for s^d Parish of Windham praying that a Number Families living South East of Policy Pond may be restored &c. for Reason therein mention'd, Also the Petition of Josiah Cummings & others of Nottingham West representing their being Tax'd to ye Support of Rev^d Mr. Nath Merrill contrary to their inclination &c. praying Relief for ye Reasons mention'd.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to Adjournment.

Voted That ye Muster Roll of Joseph Thomas & twenty seven men under his Command scouting from Durham to Chester Epsom [p. 30.] & Nottingham amounting to twenty two Pounds fifteen Shillings & 9d in full be allow'd & pd out of ye money in ye publick Treasury. Sent up by Mr. Knight.

Voted That ye Acc^t of Doc^r Joseph Pierce for Medicines &c. for Saml Drown a Soldier wounded by ye Indians at Rochester amounting to Sixteen Pounds ten Shillings & Seven Pence half Penny in full be allow'd & paid out of ye money in ye publick Treasury. Sent up by Mr. Knight.

Voted That ye Acc^t of Doc^r John Ross for Medicine &c. for Saml Drown a Soldier wounded at Rochester by an Indian amounting to Eleven Pounds Eleven Shill^s in full be allow'd & pd out of ye money in ye publick Treasury. Sent up by Mr. Knight.

The House took under Consideration ye Petition of Josiah Cummings & others of Nottingham West bro't down this forenoon &

Voted That ye Petitioners be heard on their Petition ye Second Day of ye Setting of ye Genl Assembly after ye tenth of Jany next & that ye Petitioners at their own proper Cost serve ye Select Men of Nottingham West wth a Copy of this Petition & this order of Court that they may shew Cause if any they have why ye Prayer of s^d Petition should not be granted. Sent up by Mr. McMurphy.

The House took under Consideration ye Petition of Saml Cambell &c. bro't down this forenoon &

[p. 31.] Voted That ye Petitioners be heard on their Petition ye Second Day of ye Setting of ye Genl Assembly after ye tenth of Jany next & that ye Petitioners at their own proper Cost advertise ye twenty Families mention'd in s^d Petition & leaving a Copy of this Petition & this order of Court with one of ye principal of said Families & that s^d Petitioners advertize ye publick three Weeks successively between this & ye aforesaid Second Day in ye Post Boy or Evening Post News Papers (so called) of ye Prayer of this Petition that they may have opportunity to Shew Cause if any they have why ye Prayer of s^d Petition should not be granted. Sent up by Mr. McMurphy.

The House adjourn'd 'til to morrow 9 o'clock.

Thursday 3d Decr 1747.

The House met according to Adjournment.

The Clerk not being present,

Voted That Mr. Hen Sherburne junr be Clk pro Tempore. Coll Moore laid a list of ye Voluntiers for ye Expedition agt Louisbourg before ye House whereupon—agreeable to a Vote pass'd in this House ye 28th of Augt last

Voted that each of ye 354 Men whose names are mention'd in said List being Voluntiers in ye service of this Government ye Expedition agt Louisbourg be pd five Shills out of ye money in ye Treasury for ye Expedition agt Louisbourg being in full for their back allowance while on sd Expedition (1). Sent up for Concurrence.

[p. 32.] Voted That ye Treasurer of this Province forthwith collect all ye outstanding Debts of ye Provce Taxes for ye years 1742 1743 1744 1745 & 1746 or take them to his own acct. & discharge ye Government therefrom. Sent up for Concurrence.

Voted That ye Committee for setling ye Affairs of ye 15000£ Loan forthwith get in all that is out Standing thereof & that they do their utmost imediately to finish that affair. Sent up for Concurrence.

Voted, That Nathl Lang be allow'd three Pounds six shills & six Pence half Penny in full for mending Windows at ye Fort & for his Extra Service in ferrying over ye Canada Soldiers to New Castle to be pd out of ye money in ye Treasury. Sent up by Capt Jennes.

Mr. Secretary bro't down again ye Vote of ye House of ye 20th of Novr last & Said ye Council made Several Objections against it Viz. 1st If ye Money was borrow'd to pay ye Soldiers that have been imploy'd in ye Defence of ye Frontiers there ought to be a Fund for ye immediate bringing of it again & that it ought to be mention'd in ye Vote.

[p. 33.] 2ly That it would be best to lend ye King ye Money on ye Same Terms as ye Money was emitted by ye 60000£ Act so that if ye King would not pay it ye People might be taxed for it.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to &c.

The Question being put (after some debate) whether ye House would make any Alteration in ye Vote of ye 20th Novr about lending ye King Money to pay of his Troops—it pass'd in ye Negative &

Voted That ye House adhere to their sd Vote which Message was sent up with ye vote by Messrs Clarkson & Macmurphy.

The House adjourn'd til to morrow 9 o'clock.

(1) The editor has not found the abovesaid list; but a muster roll of Col. Moore's regiment, numbering 398 men, is contained in Potter's Mil. Hist., Adj. Gen. Rep. Vol. II, 1866, pp. 63-67; also a list of officers in said regiment, pp. 69-72.—Ed.

Fryday 4th Dec. 1747 A. M.

The House met according to Adjournment.

The Acct of ye Hon^l George Jaffrey Esq. for ye year 1746 & to ye 31st Augt 1747 with ye Report of ye Commtee thereon being read

Voted That ye sd account be setled & adjusted as on a Sheet of Paper annex'd to sd Acct The Commissions charged therein by said Treasurer being contrary to ye Votes of ye Genl Assembly and ye other Articles ought in Conformity to ye Votes of ye Genl [P. 34.] Assembly to be transferred to ye respective Accts mention'd in sd sheet of Paper that ye sd Treasurer produce proper Vouchers for ye 250£ charged Paid to M. H. Wentworth Esq. for Messrs Johnston & Lydius being paid agreeable to Vote of ye Genl Assembly. Sent up by Mr. Sanborn.

Voted unanimously that all ye Accounts relating to ye Expedition against Louisbourg be immediately prepared & laid before ye Genl Assembly as ye Payments were made also that all ye Accounts relating to ye intended Expedition against Canada be forthwith prepared as ye Payments were made & be laid before ye Genl Assembly, And that ye account of Money lent to pay ye Charge of sending forces to ye Relief of his Majesties Garrison at Annapolis Royal be also forthwith prepared & laid before ye Genl Assembly in order for ye Committee to make up that Affair that they may receive ye Bills of Exchange therefor agreeable to ye Vote of ye Genl Assembly, And that in drawing out those Accts ye Votes of ye Genl Assembly be carefully attended to yt ye State of ye Treasury may be known in Order for making such further Provision for ye growing Charge of ye Government as may be necessary. Sent up by Mr. Sanborn.

Whereas it is represented to this House that some ill minded Persons have taken or Stolen Sundry of ye Province Stores & [P. 35.] Provisions that were carryed to Rochester & Winnepissiokee Pond last Winter Vizt Snow Shoes axes Kitles &c therefore

Voted That Thos Wallingford Esq. be a Comittee of this House to join such as may be appointed by ye Honb Council to make inquiry into ye Affair & have full Power to make up with any Person or Persons that shall come to them & deliver up Such Stores or Provisions so taken by them & pay for ye same or otherwise forthwith to pursue such Methods as ye Law prescribes for ye Recovery of sd stores & Provisions & bringing all Persons concerned therein to Justice & that sd Commtee render Accts of their Proceedings to ye Genl Assembly as soon as may be. Sent up by Mr. Sanborn.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted That ye Account of Richd Wibird Saml Solly Thos Bell

& Henry Sherburne junr Esqe a Comtee appointed by ye Genl Assembly to take Care & Provide for ye Transportation of ye French People bro't hither from Louisbourg agreeable to Articles of Capitulation being 72 in Number be allow'd & that sd Comtee be discharged from the sums of sd Account. Sent up by Mr. Sanborn.

The House adjourn'd 'til to morrow 9 o'clock.

Saturday 5th Decr 1747.

[P. 36.] The House met according to Adjournment.

Mr. Secretary came into ye House & sd he was directed by his Excellency to inform ye House that he had adjourn'd ye Genl Assembly of this Prov. to Tuesday ye 8th of this Instant at 10 o'clock A. M. & then in his Majestie's Name declared this House adjourn'd accordingly.

Tuesday 8th Dec. 1747.

The House met at 3 o'clock P. M.

The House adjourn'd 'til to morrow 10 o'clock.

Wednesday 9th December 1747 A. M.

The House met according to Adjournment.

Mr. Secretary came into ye House & said ye House's Vote of ye 20th Nov. last for paying of ye Frontiers & lending money to his Majesty was noncurr'd by ye Council.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to Adjournment.

After examining & debating an Act in Addition entitled an Act for admission of Town Inhabitants &c.

The House adjourn'd til to morrow 10 o'clock.

[P. 37.] Thursday 10th Decr 1747 A. M.

The House met according to adjournment.

Voted That his Excellency be desir'd to give Orders for inlisting or impressing eight good effective Men Capt included to be posted at his Majestie's Fort William & Mary from this Day to ye 25th of March next. Sent up by Coll Wallingford.

Voted That Capt Gage be desir'd to bring in a bill to regulate ye Ferrys of this Province.

Capt. Bell's Muster Roll was withdrawn by Message

Voted that it be made up to this Day amounting to one Hundred & Sixty Pounds twelve Shills & Eight Pence & pd out of ye Money in ye Publick Treasury. Sent up by Capt Leavit.

Voted That Daniel Meader be allow'd twelve shills & six pence in full for his Account for Ferriage to this Day to be paid out of ye Money in ye publick Treasury. Sent up by Capt. Gage.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to Adjournment.

The Honl Theod Atkinson Esq & The Honl John Downing bro't down ye Vote for ye Treasurer's collecting ye out standing Debts &c. with ye Council's vote of concurrence with this Amendment Viz (does his Endeavour)

[p. 38.] Voted That ye Vote ye Hon Council be concurr'd. Sent up by Mr. Giddinge.

The Hon. Theodr Atkinson & the Hon. John Downing Esqrs also bro't down ye Vote of ye House of ye 3d Inst for ye Comtee for Setling ye Affairs of ye £15000 loan &c. also ye Vote of 2d Inst for ye Comtee of War for ye Expedition agt Canada their Selling ye Stores provided for sd Expedition &c. Also ye Vote of ye 4th Instant for making enquiry after ye stores lost last Winter at Winipissockee Pond with ye following Votes of Concurrence of ye Hon. Council on sd Votes Vizt—on that for setling ye Affair of ye £15000 Loan &c Read & concurr'd with this Addition Viz or pay ye Money into ye Treasury &c upon which ye House

Voted That they adhere to their Vote Said Money not being to be paid into ye Treasury but to be bro't into ye Genl Assembly to be burnt. Sent up by Mr. Giddinge.

On ye Vote for ye Comtee of war for ye Expedition agt Canada their selling ye Stores provided for sd Expedition &c. was this Vote of ye Hon. Council Viz read & concurr'd with this Addition Viz that ye Money missed be immediately paid to ye Treasurer & placed to ye Fund from whence it was taken upon which ye House

Voted a Concurrence with ye Hon Council's Vote. Sent up by Capt Bell.

[p. 39.] On ye Vote for making enquiry after ye Stores lost at Winipissiockee Pond &c. Was this Vote of ye Hon Council viz read & concurr'd with this Addition, That as soon as any money shall be received or recovered it be paid into ye Treasury & placed to ye Fund from whence it was taken &c. Upon which ye House Voted a Concurrence with ye Amendment. Sent up by Mr. Knight.

Voted That John Elliot be allow'd four Pound nineteen Shillings in full of his Account for glazing ye Prison House to be pd

out of that of ye Interest of ye 25000£ Loan appropriated for ye Repairs of ye Prison. Sent up by Mr. Knight.

The House adjourn'd till tomorrow 10 o'clock.

Fryday 11th Dec 1747 A. M.

The House met according to adjournment.

Voted That Coll Peter Gilman Mr Hen Sherburne jun. & Mr Meshech Weare be a Committee of this House to join such as may be appointed by the Hon. Council to confer on ye most easy & equal Method for paying ye Charge ye Government has been at ye Curr^t Year for defending ye Frontiers &c & make immediate Report to ye Genl Assembly. Sent up by Mr. Sanborn.

[p. 40.] Order'd That Mr. Weare go up to ye Council to enquire whether ye Vote for ascertaining ye Value of Money & ye Vote to appoint a Committee to confer on ye easiest & most equal Method for defraying ye Charge of ye Current Year &c. Mr. Secretary came down to ye House & said in Answer to ye Message of Mr Weare That ye Vote for ascertaining ye Value of Money was non concurr'd by ye Council And that ye Vote for appointing a Committee to confer &c. was concurr'd by ye Council & that Coll. Smith Mr Wibird & Mr. Sheaf were joined in ye Affair.

The Hon. Mr Wibird bro't down again Coll Gilman's Acc^t for billeting Soldiers last year wth ye Council's Vote of Nonconcurrence for ye Allowance thereof upon which it is

Voted That notwithstanding ye House thinks ye whole justly due yet that Coll Gilman may not lay out of ye whole any longer that ye House concurr with ye Vote of ye Hon Council with this Amendment that it be no barr to Coll Gilman's hereafter Pettioning ye Genl Assembly for an Allowance of ye sum cut off s^d [p. 41.] Acc^t by s^d Vote. Sent up by Mr. Giddinge.

Voted Coll Henry Sherburne be allow'd five Pounds in full for half a bb Powder D^d Jotham Odiorne Esq expended at ye Reception of His Excellency Governour Wentworth when he first came to ye Province to be Paid out of ye Money in ye Treasury. Sent up by Mr. Sanborn & Knight.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournm^t.

Whereas by an Act to ascertain ye Value of Money & of ye publick Bills of Credit of this Prov. &c passed in ye 15th Year of his present Majestie's Reign it was enacted among other Things that ye Prov. Bills emitted for ye Supply of ye Treasury in s^d year should be valued & taken at ye following Rate Viz^t, every Bill of six shillings & Eight Pence at ye Rate of one ounce Troy weight of coin'd Silver Sterling alloy & all other Bills of S^d Emission at

ye Same Proportion & a severe Penalty laid upon any Person or Persons that should willingly give contract—or offer to give—or receive more than Six Shillings & Eight Pence in s^d Bills for one Ounce of Silver Troy Weight Sterling Alloy And whereas by ye Acts since passed for further Emissions of Bills of Credit of this Province ye s^d Bills have been made equal in Value to s^d Bills [P. 42.] mention'd in s^d Act of ye 15th year of his present Majesties Reign & whereas ye Genl Assembly have in s^d Act reserved to themselves ye Right of Setting once every Year in ye Month of Septr or Octo^r, ye Value of s^d Bills & whereas a unanimous Vote pass'd in this House on ye Second Day of Sepr last past Setting ye Value of s^d Bills agreeable to s^d Act which Vote this House were this Day inform'd by a Message from ye Hon^e Council by Mr Secretary was nonconcurr'd, It is again therefore

Voted According to ye House's s^d Vote of ye s^d 2^d of Septem^r that ye s^d Act be strictly comply'd with & that ye s^d Bills of Credit be esteemed equal in Value as Setled & determined by s^d Act as above mention'd & that all Judges of Courts & Justices of ye Peace within this Province take due notice of it for their Regulation & Government in Entering judgments & take Care that s^d Act be put in Execution against any Person or Persons that shall presume to violate offend against or break ye same. Sent up by Capt. Leavit.

The House adjourned til tomorrow ten o'clock.

[P. 43.] Saturday 12th Dec. 1747.

The House met according to adjournm^t.

Voted That ye Petitions that were to have been heard to Day be further defer'd 'til ye third Day of ye Setting of ye Genl Assembly after this Day.

Mr. Secretary came into ye House & said he was directed by his Excellency to adjourn ye Genl Court til Monday next at ten o'clock A. M. & then in his Maj^s name declar'd ye House adjourn'd accordingly.

Monday 14th Dec. 1747, A. M.

It being very cold & stormy & ye Speaker & Members not come in about 12 o'clock Mr. Secretary by his Ex^y order adjourn'd ye Genl Assembly 'til 4 o'clock.

Post Meridiem.

The Inclemency of ye Weather stil continuing & ye Members not come in Mr. Secretary adjourn'd ye Gen. Assembly 'til tomorrow 10 o'clock.

Tuesday 15th Dec 1747.

The Speaker nor a Quorum of ye House not come in Mr. Secretary adjourn'd ye Gen. Assembly til half a Hour after three.

Post Meridiem

Late this Afternoon a Quorum of ye House met but ye Speaker not being come in Mr. Secretary adjourn'd ye Gen. Assembly til tomorrow ten o'clock.

[P. 44.] Wednesday 16th Dec. 1747.

At twelve o'clock ye Speaker not being come in it was put to Vote whether ye House would proceed to choose a Speaker pro Tempore & pass'd unanimously in ye Affirmative & Then

Voted That Coll Peter Gilman Esq. be Speaker pro Tempore.

Order'd That John Gage Esq. & Mr. Knight go & inform his Excellency that there is a Quorum of ye House met.

The Comtee of Both Houses appointed to consider upon ye most Easy & equal Method for paying ye Charge of ye Government for Defence of ye Frontiers &c. ye year 1747 having met & conferr'd Report as follows Vizt.

Inasmuch as by a Clause in ye Act for Emitting of £60000 ye Gen. Assembly reserv'd to themselves ye Powers of disposing of any Part of the sd sum that might be left in ye Treasury after ye Expedition by sd Act set on foot was at an End & whereas the sd Expedition is now over & there is Part of sd Sum yet remaining in the Treasury: We are humbly of Opinion that it would be [P. 45.] the most Easy & equal Method to pay ye Charge of ye Government for ye Defence of ye Frontiers &c ye said year out of sd Bills so remaining in ye Treasury & when that Part of sd sum already pd out for which ye Inhabitants of this Province are to be taxed for is ascertain'd that then a Tax be laid upon ye Poles & Estates within this Province for what may be paid out on this occasion also — Which is Humbly submitted by order of ye Committee.

R. Wibird Chairman

Portso 12 Dec 1747.

Voted That ye foregoing Report be accepted & sent up to ye Hon. Council for concurrence. Sent up by Capt. Bell.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

This being ye Day appointed for hearing of ye Petition of Danl Doe &c. The Parties were called & fully heard by their Council & then withdrew & Then after some Debate the House adjourn'd til tomorrow 10 o'clock.

Thursday 17th Dec 1747, A. M.

The House met according to adjournment.

The House took under consideration ye Petition of Abn Libby

[p. 46.] & others & at ye motion of Mr. Parker Attorney for the Petitioners it was

Voted That ye Hearing of s^d Petition be further deferr'd til ye Second Day of ye Setting of ye Gen. Assembly after ye first of May next.

Danl Doe & Edwd Woodman who were heard last night on ye Pet. with their Council come into ye House & said they were about agreeing & desir'd ye House would defer their Judgment on s^d Petition til a farther Day which is accordingly granted.

The House adjourn'd for two Hours.

Post Meridiem

The House met according to adjournment.

Mr. Secretary bro't down again ye Report of ye Comm^tee of both Houses with ye Houses vote of acceptance thereon with ye Hon^b Councils vote of Concurrence with this Amendment vizt.

That there is a Fund laid for repaying ye s^d money mention'd in ye s^d Report in ye three next years.

The foregoing vote of ye Hon^b Council being read &

Voted a concurrence with this Amendment vizt That as a Fund for bringing in & sinking ye said sum a Tax be laid upon ye Polls & Estates of ye Inhabitants of this Prov. to be p^d in ye years seventeen hundred & sixty one & seventeen Hundred & Sixty two. Sent up by Mr. Sherburne.

The House adjourn'd til tomorrow 10 o'clock.

[p. 47.] Fryday 18th Decr 1747.

The House met according to adjournment.

Whereas his most gracious Majesty by his Grace Duke of N Castles Letter to Gov. Shirley (some Paragraphs of which his Excellency our Gov. has been pleased to lay before this House) desires Credit from ye respective Governments to pay off his Majesty's Troops raised for ye intended Expedition against Canada til Provision is made by Parliament for repaying ye whole charge, And whereas pursuant to his Majesties royal order signified to his Excellency our Governour by his Grace ye Duke of N Castle in his Letter of ye 9th Ap^r 1746 considerable sums in Bills of Credit have already been paid out of ye publick Treasury of this Province to set ye s^d Expedition on Foot & whereas his most gracious Majesty has been pleased to put at End to s^d Expedition for ye present, In obedience to his Majesty's Desires & Humbly relying on his Royal Bounty & Goodness to repay ye same.

Voted That as soon as the Sum is ascertain'd which his most gracious Majesty may want to pay off his s^d Troops rais'd within this Prov. that then a sum in Bills of Credit sufficient to answer s^d End be lent to his most excellent Majesty & his Majesties re-

paying ye same together with what has been already p^d^ out of the publick Treasury to set ye s^d^ Exp^n^ on foot be ye sole Fund for bringing in & sinking all ye Bills of Cred^t^ which have & may be pd out of ye publick Treasury to set ye s^d^ Expedition on Foot to pay off his Majesties s^d^ Troops & y^t^ as soon as ye sum now wanted for s^d^ use is known and it be drawn agreeable to this vote. N. B. This vote was never sent up.

[P. 48.] Mr. Secretary came down to ye House & said ye vote upon ye committees Report upon ye most equal & easy Method of paying of ye Expence of Frontiers &c was concurr'd with ye Houses Amendment.

A Message by Messrs Clerkson & Giddinge to his Excellency to inform him that ye House was determined not to proceed upon any other Business 'til they knew ye Result of ye vote for paying of ye Frontiers whether it was concurr'd or noncurr'd.

The House adjourn'd for two Hours.

Post Meridiem

The House met according to adjournment.

Mr. Secretary came down & said he was directed by his Excellency to inform ye House that he could not give his Assent to ye vote for paying off ye Expence of Frontiers 'til he knew what ye House would do with Regard to lending his Majesty Money & when he should know he would assent to anything in ye other affair that should be tho't to be reasonable.

Voted Mr. Commissary Penhallow be allow'd twelve months' [P. 49.] Pay at ten Pounds pr month when his Acc^ts^ shall be setled by committee of War agreeable to votes of ye Gen. Assembly. Sent up by Mr. Macmurphy.

May it please your Excellency

The House apprehend by your Excellencys Message this afternoon by Mr. Secretary there may be some misunderstanding concerning ye Footing ye Bills now in ye Treasury stand on. What Bills are now in ye Treasury by Virtue of y^e^ £60000 Act are by y^t^ Act to be burnt to Ashes to sink themselves unless otherwise order'd by ye Gen. Assembly & ye King is no wise ye Fund for Sinking them nor can be unless by a further Act & as ye Gen. Assembly have power of ordering & as ye sum permitted by his most Excellent Majesty for ye support of Government is not now out for that End the House think it very hard (what we could never answer to our Principals should we comply with it) that it should be insisted on that they should lend a large sum of Money to his Majesty without taking care before Hand to discharge their just Debts by paying off ye poor Men that have been imploy'd in defending ye Frontiers so much at ye Hazzard of their own Lives in ye Summer past wherefore ye House humbly prays that your Excellency would give your consent to ye vote of both Houses on ye Report of ye Committee appointed to confer on ye easiest & most equal Way for defraying ye Charge of ye Government for defending the Frontiers &c, Which now lays before your Excellency & then your Excellency may depend upon ye Houses doing everything in Re- [P. 50.] lation to ye Affair of lending ye Money to his Majesty for paying off his Canada Troops raised in ye Province consistent with ye true Interest of ye People we represent which ye Duty of ye Loyalest subjects can prompt them to or a most gracious Sovereign require.

Voted That ye foregoing be sent to his Excellency in answer to his Message this afternoon by Mr. Secretary. Sent up by Messrs Jennes & Davis.

The House adjourn'd 'til tomorrow 10 o'clock.

Saturday 19th Dec 1747.

The House met according to Adjournment.

Mr. Secretary bro't down a Copy of a Paper & said it was what ye Govr had drawn up for two Votes & that it was ye Gov^rs writing & that ye Council unanimously tho't it would do—which Paper is on File.

May it please your Excellency

In answer to your Excellencys Message by Mr. Secretary this morning—The House are unanimously determin'd Not to act any further on ye Affair of Lending Money to his Majesty to pay off his Canada Troops 'till Provision is made for paying off the just Debts of ye Government contracted in Defending ye Frontiers &c in ye year past.

[p. 51.] Voted That ye foregoing be sent to his Excellency in answer to his Message by Mr. Secretary this morning. Sent up by Messrs Giddinge & Knight.

Mr. Secretary bro't down his Excellency's written Message which is on File.

The Governor's Message.

[Copied from MS. Gov^rs Messages, Vol. II, p. 21.]

Gentlemen of the Assembly,

By your message of this day by Messrs Giddinge & Knight you are pleas'd to say, The House are unanimously determined not to act any further on the affair at lending money to his Majesty to pay off the Canada Troops, 'till provision be made for paying off the just Debts of the Government contracted for defending the Frontiers the year past, & since it is the resolution of the House to pay so slender a regard to what his Majesty is pleased to require of you, that matter must rest.

I shall be ready to Joyn in any reasonable method in paying off the Expences Incurr'd the year past for defending the Frontiers, in which I must presume that no use can be made of the money in the Treasury, until his Majesty's pleasure is farther known thereon or his commands comply'd with.

B. WENTWORTH.

Council Chamber
Portsm^o 19th Decr 1747.

Wherenpon ye House

Voted That ye following be sent to his Excellency in Answer to his written Message of this Day Viz^t

May it please your Excellency.

In Answer to your Excellency's written Message of this Day by Mr. Secretary This House have always shewn their Readyness to pay all ye Reguard to ye Desires of his most gracious Majesty—They cannot at present propose any

more reasonable Method of paying of ye Debts contracted ye Years past than what is agreed upon by ye Hon Council & House in ye Vote on ye Report of ye Committee of both Houses now before your Ex^y, wherefore We humbly pray that your Excell^y will give your Consent to s^d Vote.

Sent up by Mr. Weare.

Mr. Secretary came into ye House & said he was directed his Excellency to inform ye House that he had adjourned ye Gen. Assembly of this Province 'til Monday next at 10 o'clock A. M. & then in his Majestie's name declared this House adjourned ac-
[P. 52.] cordingly.

Monday 21st Decemb^r 1747 A. M.

The House met according to adjournment.

Mr. Secretary bro't down his Excellency's written Message which is on File.

The Governor's Message.

[Copied from MS. "Governors Messages" Vol. II, p. 25.]

Gentlemen of the Assembly

I am truly sensible on what footing the remainder of the £60000 in the Treasury stands, & that the whole was a grant made to his Majesty for the use of the Canada Expedition, & that when every incident of that Expedition is paid, that the residue is to be burnt, unless otherwise disposed of by the General Assembly. But his Majesty having laid aside the tho'ts of that Expedition for the present & being desirous that the Troops levied in his pay should be discharged & paid, he has tho't proper to direct his Governors to reccommend it to the Assemblies of their respective Governm^ts either to furnish the money or give a credit to pay off both officers & men in that Expedition, & under the present circumstances of this Government the Assembly will be without excuse to refuse to his Majesty the credit he has required; & until that is done, you may be assured no consent can be obtained from me to any bill for the payment of troops on the Frontiers or on any other occasion. But you may rely that upon your passing a bill for the payment of the Troops, for which his Majesty's repaying the sum, I shall draw out of the Treasury for that service shall be the only Fund, I shall be ready to consent to any reasonable bill for paying off all the just debts of the Government if in your bill the periods are not too distant.

B. WENTWORTH.

Council Chamber in
Portsm^o Decr 21, 1747.

After Debate upon ye afores^d Message it was

Voted unanimously that ye following be sent to his Excellency in Answer to ye s^d Message vizt.

May it please your Excellency

In answer to your Excellency's written Message by Mr. Secretary this morning we think that ye 60000£ grant to his Majesties was for inlisting transport'ng, cloathing, Arming & making other necessary Provision for the Volunteers & for fitting vessels & other Purposes particularly mention'd in s^d Act & that what remains in ye Treasury after what is paid out for those particular things Sink itself in ye Treasury & has no more Relation to paying off the Frontiers or any other thing or than any other Fund And we think we are obliged in justice to make Provision for Payment of ye just Debts of y^e

Government already contracted before we do anything for lending of Money [P. 53.] Nor can we think his Majesty will desire any other of us & we are sorry to find by your Excellency's written Message that your Excellency is so determined in a Point so directly contrary to ye Liberties & Privileges of ye People we represent your Excellency well knows how much this Assembly have distinguished themselves by their constant Loyalty to his most gracious Majesty always tender of the Priviledges of his Subjects his Goodness to us we hope we shall ever gratefully acknowledge & we think we cannot do greater Honour to his Majesty than firmly to stand by & support ye Liberty & Priviledges of ye People our Principals. What your Excellency requires touches us in a tender Point & we must again inform your Excellency y^t ye House are unanimously determined not to pass any votes for lending of money til Suitable Provision is made for paying off ye just Debts of ye Province & again earnestly pray you will consent to ye vote of both Houses now before your Excellency for that End.

Sent up by Messrs Russell & Bell.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Mr. Secretary came into the House & s^d he was directed by his Excellency to tell ye House y^t he would not consent to ye vote [P. 54.] now before him for paying ye Expence of ye Frontiers &c. & that ye House must proceed to some other Method for the Debts of ye Government.

N. B. Y^e Clerk was not present when ye Secretary delver'd ye foregoing Message.

Whereas his Excellency has been pleased to inform the House that he cannot consent that any of ye money now in ye Treasury should be taken for to pay off the Expences of ye Governm^t for ye Defence of ye Frontiers &c. for ye year 1747, And whereas Money cannot be rais'd by a Tax on ye People ye Present year for to answer that End so that ye Persons to whom Money is due for their Service for Defence of ye Frontiers &c. ye year past must necessarily lay out of ye same for a great while unless a Sum be emitted for this End Therefore—

Voted That there be forthwith imprinted struck off & Signed by a Com^tee or Com^tees to be appointed by ye Gen. Assembly ye Sum of four Thousand Pounds in Bills of Cred^t in this Province equal in value to so much in Bills of Credit of ye last Emission of ye Same Tenor & form & imprinted on ye Same Plates vizt three Thousand five Hund^d Pounds thereof from ye large Plate & y^e [P. 55.] other five hundred Pounds from ye small Plate for supplying ye Treasury for & towards ye defraying ye Charge of ye Government in defending ye Frontiers making up what ye Excise falls short of his Excellence^s Sallary paying ye Council & Assembly & other incident Charges of ye Government for ye year 1747 & for paying off ye Charge of imprinting & Signing ye Same that s^d Bills be put in ye Treasury and there lie for Payment of such Allowances only as have or shall be made by ye Genl Assembly And as a Fund & Security for drawing in & Sinking ye Same that there be a tax on ye Poles & Estates within this Province in two equal Pay-

ments on ye years 1761 & 1762 payable by ye 25th of Dec in each of s^d years agreeable to ye last proportion of ye Province Tax unless a new Proportion be made betwixt this & those years in which case ye s^d Sum shall be drawn in agreeable to ye Proportion next immediately preceding the s^d Payments & that an Act be drawn up accordingly and that Mr. Mechech Weare be a Committee of this House to join such as may be appointed by ye Hon. Council to draw s^d Act. Sent up by Jon. Gage Esq.

The House adjourn'd til to-morrow 10 o'clock.

[P. 56.] Tuesday 22^d Dec 1747, A M.

The House met according to adjournment.

Mr. Secretary came down to ye House and said ye Houses Vote of yesterday for emitting 4000£ for defraying ye Expence of ye Frontiers &c. was nonconcurr'd unanimously by ye Council for ye Reasons he gave and then withdrew.

Order'd That Mr. Weare go up & desire the Hon^l Council to give their Reasons for noncurring ye Vote of yesterday for Emitting 4000£ &c.

Mr. Secretary bro't ye Hon Councils' Reasons in writing which are on file (1)—

The House adjourned for 2 Hours.

Post Meridiem.

The House met according to Adjourn^t.

Order'd That Messrs Weare & Leavitt wait upon his Excell^y with the following verbal Message vizt as your Excell^y has been pleased to inform ye House y^t you cannot consent y^t any of ye Bills now in the Treasury should be taken for paying ye Frontiers [P. 57.] but ye House must think of some other method the House cannot think of any other unless by a new Emission or by a Tax on ye People. As for a Tax on ye People it is now so late that the House cannot see that ye money can be raised to pay off ye men by it ye present year. As for a new Emission we have tryed a Vote for that End which has been nonconcurred by ye Council The House cannot tell any thing further that we can do & pray that his Excellency would give us leave to retire to our Homes.

Who made return—that they had deliver'd ye Message.

[The following notes from the Governor are copied from MS. "Gov^rs Messages," Vol. II, pp 27, 28.—Ed.]

Sr.

I had a verbal message from the House pr Messrs Wear & Leavitt, informing me the House had sent up a vote for a further Emission of paper money, wch the Council had non-concurr'd & that Emission was intended for paying off the men employ'd for the defence of the frontiers, and that now the House

(1) Not found.—Ed.

had no other way left to pay that debt but to levy it by a Tax which, when they do I hope the Council will have no objection to concur with it, and I am sure I shall be glad to have the opportunity to give my consent to a bill of that nature. I am also informed that it is the desire of the House to be sent to their own homes, by the said Committee.

I am, Sir, your humb servt,

B. WENTWORTH.

To the Honble T Atkinson, Esq. Secretary.

In answer to which message pr Messrs Wear & Leavitt you are to deliver the following verbal message—

That the members of the Asssembly were call'd by notice of the King's Writ, and untill the King's business was effectually done I can neither answer it to the King my master, either to adjourn, prorogue or Dissolve the present Assembly, for which reason I desire they would do the business that lays before them—it being now the sixth week of their setting.

B. WENTWORTH.

Council Chamber,
in Portsmo, 22d Decr 1747.

The House adjourn'd til to morrow 10 o'clock.

Wednesday 23d Decr 1747 A. M.

The House met according to adjournment.

Mr. Secretary came into ye House & said he was directed by ye Governour to inform ye House yt in Answer to their Message by Messrs Leavit & Weare that he could not adjourn ye Genl Court but yt he tho't it was for his Majesties Interest to keep it Setting.

Voted That for ye Better keeping & preserving of wt remains of ye Canada snow shoes his Excellency ye Governour be desired to give orders for ye immediate transporting & lodging of the same in such convenient Parts of ye Frontiers as may be most for his Majesties Service on any sudden Emergency at ye publick Charge. Sent up by Mr. Knight.

Whereas his most gracious Majesty by his Grace ye Duke of [P. 58.] New Castle's Letter to Gov. Shirley (some Paragraphs of which his Excellency our Governour has been pleas'd to lay before this House) desires Credit from the respective Governments to pay off his Majesties Troops rais'd for ye intended Expedition agt Canada 'til Provision is made by Parliament for repaying ye whole Charge in Obedience to his Majesties Desire humbly relying on his royal Bounty & Goodness to repay ye same

Voted That provided the Vote of Both Houses on ye Report of the Committee of Both Houses now before his Excellency for paying ye Charge of ye year 1747 for defending ye Frontiers &c. with an Act agreeable to it be consented to by his Excelly then as soon as ye sum is ascertained which his most gracious Majesty may want to pay off his said Troops rais'd within this Province—that a sum in Bills of Credit sufficient to answer said End be lent

to his most Excellent Majesty for paying off s^d^ Troops And his Majesty's repaying the same be the sole Fund for bringing in & Sinking s^d^ Bills & that as soon as ye sum wanted for s^d^ use is known an Act be drawn up agreeable to this Vote. Sent up by Maj^r^ Davis.

Mr. Giddinge desired to Dissent to ye foregoing Vote.

The House adjourn'd til to morrow 10 o'clock.

[P. 59.] Thursday 24th Decr 1747 A. M.

The House met according to adjournm^t^.

Whereas John Melcher who labour'd fourteen Days at Fort Willm & Mary in ye year 1746 by Mistake was omitted in ye Muster Roll or Account of ye men who laboured there so that he has received no pay therefore

Voted That s^d^ John Melcher be allow'd fifteen shills for s^d^ service to be pd out of ye Money in ye Treasury. Sent up by Mr. Knight.

Voted That Richd Jennes Esq. be allow'd fifty two shillings & six Pence in full for his Acc^t^ for Wood to be paid out of ye money in ye Treasury. Sent up by Mr. Knight.

Voted That there be allow'd Mathias Hains one pound three shill^s^ & six Pence in full of his Account for Labour & materials for repairing ye Province Goal to be pd out of ye Interest of the 25000£ Loan. Sent up by Mr. Knight.

Mr. Secretary came into ye House & said that the Houses Vote of last Night came up to ye Council after they adjourn'd but that he had shown ye Vote to ye Govr who said he would assent to s^d^ Vote & Mr. Secretary said he doubted not but ye Council would concurr ye same—And said ye Govr desir'd a Vote might be pass'd for paying off ye Frontiers & part of what is due to ye Canada Troops til an Act Could be prepar'd.

N. B. ye Clerk was absent when ye above message was deliver'd.

The House adjourn'd for two Hours.

[P. 60.] Post Meridiem 24 Decr 1747.

The House met according to Adjournm^t^.

Mr. Secretary came into ye House & said all ye Votes were concurr'd by ye Council & Assented by ye Governour & then said he was directed by his Excellency to inform ye House that he had adjourn'd ye Gen. Assembly of this Province to Tuesday ye 23^d^ Feb^r^ next at 10 o'clock A. M. & then in his Majesties Name declar'd this House adjourn'd accordingly which Declaration gave ye House universal joy.

N. Bene. the Clerk was not present when ye foregoing Message was deliver'd.

Tuesday 23d Feb. 1747.

The Weather being bad & ye Travelling exceeding difficult but three Members appear'd.

Between twelve & one of ye Clock Mr. Secretary came to ye Court House & said he was directed by his Excellency to adjourn ye Gen. Court til Tuesday ye 8th of March next & then declar'd ye Court adjourned accordingly.

[P. 61.] Tuesday 8th March 1747 A. M.

A Quorum of ye House not being come in about one o'clock Mr. Secretary said his Excellency had adjourn'd ye Genl Assembly 'til three o'clock P. M.

Post Meridiem.

The House met according to Adjournment.

Order'd That Messrs Sandborn & Macmurphy wait upon his Excellency & inform him that a Quorum of ye House are met.

Mr Secretary bro't down his Exys written Message also Gov. Shirley's Letter of ye Day—also ye Copy of a Report of a Committee on a Memorial of Thos Hutchinson Esq. & a Copy of a Vote of ye Govt of ye Massats & a Copy of a Bill prefer'd to ye Gen. Assembly of sd Prov. to Regulate ye Currency &c.

The Governor's Message.

[Copied from MS. "Governors Messages" Vol. II, p. 33.]

Gentlemen of the Assembly

I should not have required your attendance in General Assembly at this extraordinary season had not the situation of your frontiers made it necessary, and your immediate grants for their safety in the aproaching summer, will not only prevent such as are ready to draw off, but may be most instrumental to Incourage many that have all ready removed into the lower towns to return again.

I shall direct the Secretary to lay before you the report of a comtee in the Government of the Massachusetts upon the memorial of Thos Hutchinson, Esq. & the vote of both Houses on the appointment of a comtee in consequence of said memorial, to consult on measures (with those that may be appointed by his Majesties other Governments), that may put an end to our depreciating paper currency: also a bill that was projected by the Government of the Massachusetts for that purpose, & Gov. Shirley's letter to me of 29th Feby on the whole affair, desiring me to recommend it to the Assembly of this Province, and in consideration of the unhappy situation the Province is under, with the other Governments in regard to our paper currency I think it highly worthy your most serious deliberation; & if any method can be agreed upon to put a stop to the growing evil it may happily prevent the ruin which at this time threatens your country; & more especially all those whose salarys depend on this uncertain medium & hitherto have had no equivalent for the depreciation thereof.

B. Wentworth.

Council Chamber in
Portsmo, March the 8th 1747—

Gov. Shirley's Letter to Gov. Wentworth.

[Copied from Province Papers "Correspondence" Vol. II, in Secretary's office, p. 1.]

Boston, Feby 29, 1747.

Sir:—The General Assembly of this Province presuming upon their claim to a Reinbursemt of the charge of the late Expedition against Cape Breton, have been employing their thoughts to find out some method of improving such Reimbursmt so as to put an End to the present Paper Currency; and they have projected a Bill (which has had two Readings in the Assembly) for this Purpose, a copy of which I shall now inclose you. As there are Bills of each of the four Governments of New England which have obtained a currency thro' the whole, it was judg'd proper before any thing was finally determined here, that a conference should be had by Commissrs from each Governmt so, if possible, one general method or scheme might be agreed on; and you will see by the vote inclos'd that Commissrs have accordingly been chosen by this Government; and I must desire your Excellency to recommend it to your Assembly to join in this affair, which is of such vast importance, & for effecting which it's probable there never may be so happy an opportunity hereafter.

We have no absolute certainty that any grant will be made by the Parliamt but there is great Reason to expect it, and our latest advices are that it will be done the present session; and the Assembly here seem to be of opinion, that unless some speedy Provision should be made on this side the Water, great Endeavors will be us'd that these Governments should be oblig'd to draw out their Grants by Exchange, the consequence of which would be the Importation of vast Quantities of goods, & perhaps the Exchange would be set at such rate as would be to the great damage of the Publick, much beyond the present value of the Bills of Credit, & what the generality of the present Possessors have no equitable claim to. The Assembly have propos'd this Province to meet in, because it is nearest the Center, & as the gentlemen can be best accommodated in the Town of Boston, it is propos'd the first meeting should be held there. The memorial refer'd to in the Report I have not sent a copy of, the Proposals contained therein being much the same with what is propos'd by this Bill.

I have sent a Letter of the same Tenor with this to the Governors of Connecticut & Rhd Island. I shall expect your Excellency's answer as soon as may be.

I am, sir,
your Excellency's most obedient, Humble servant
W. Shirley.

P. S. I have only time to thank your Excellency for your last favour by the Post, wch will answer by next opportunity.

Letter from Mr. Sec'y. Willard to Gov. Wentworth.

[Copied from MS. Corr. in Vol. II, p. 3.]

Boston, March 5, 1747—

Sir, I am directed by the General Court here to apprize your Excellency of the advice we have from our agent by the ship from London yesterday, that a grant was made in Parliament on Fryday the 4th of December last of £10,200,000 for the current year, £800,000 of which is for paying the charge of taking and keeping Cape Breton by the People of New England, and the charge of raising Forces for the Expedition that was design'd against Canada.

There have been some Proposals & Endeavors that the Payment might be made by Debenture; nothing seems so likely to prevent it as applying the

money granted to redeem and finish our fatal Paper Currency, so absolutely necessary to the Establishment & Preservation of Justice in our Commerce, and so much for the Interest of Great Britain as well as ourselves. This we are very sensible cannot be done effectually without the meeting of the several Assemblies interested in this grant: It is therefore hoped that your Excellency will call your General Court together as soon as may be, that the meeting of Commiss^rs may not be put off beyond the time proposed, viz. the 12th of April next, in order to their being assured at home very soon that this money will be so wisely applied and for a Purpose so absolutely inconsistent with Debentures or any dilatory method of Payment.

I am with great Respect
Sir, your Excellency's most humble
and most obedient servant
Josiah Willard.

P. S. The agents letter was dated the 10th Dec^r & sent to Portsmouth a few days before the ship sail'd.
His Excellency Benning Wentworth, Esq.

[The Report of the committee on a Memorial of Thos. Hutchinson, has not been found; but the Papers which follow, though of a later date, having relation to the same subject, are here inserted.—Ed.]

Letter from Secretary Willard.

[Copied from "Belknap Papers," in Secretary's office, p. 269.]

Boston, Nov. 4, 1748.

Sir, I am directed by the General Court of this Province, to send your Excellency a copy of the Report of a Committee of both Houses, accepted by the whole Court, proposing to have a meeting of commissioners from the General Assemblies of the several Colonies in New England, to agree upon such measures as may be most proper in respect to the money allow'd by the Parliam^t of Great Britain to these Colonies in New England, to reimburse them, as to their charges in the Reduction of Cape Breton; I have also inclosed a copy of the Bill therein refer'd to, which was projected by our Assembly the last Winter, before we were at any certainty about the payment of the said money, & therefore must be altered (at least in the Preamble) if it should ever pass into an Act. It is prayed that your Excellency would be pleased to lay this affair before your Assembly, as soon as possible, & let this Government know, as early as you can, the Result of your Assembly. It is thought the more necessary, that this affair should be expedited, lest by reason of our Delay, the Parliament of Great Britain should, at their next session take such measures, as may prove very inconvenient to these Colonies.

I am, Sir,
your Excellencys most obed^t
humble servant
Josiah Willard.

His Exc^y Benning Wentworth Esq.

[p. 270.] [The following is the Paper above referred to, copied from "Belknap Papers," p. 270.]

The committee appointed to consider that part of his Excellency's speech which relates to the money granted by Parliament for reimbursing the Expence of taking and keeping Cape Breton, having attended that service, report as their opinion:

That messengers be forthwith dispatched to the Governments of Connecticut, New Hampshire & Rhode Island again desiring them to appoint Commissioners to meet the last Wednesday of this month at Boston, or as soon after as may be, to treat with Commissioners from this Court upon the best method of applying the money granted by Parliament to the Redemption of the Bills of Credit, & upon ways & means effectually to Regulate the currencys of these Governments for the future, and that a proper Letter be prepar'd to be sent home by the first ships signifying the Courts continuing in their resolution to apply the grant of Parliament to the Redemption of the Bills so far as it shall be sufficient for that purpose, & to sink the remainder of the Bills at the same time in the manner propos'd by the Bill sent from this Court, or in such other effectual way as shall be agreed on.

In the Name of the Committee

J. Osborne.

In the House of Representatives, Novem^r 2^d 1748, Read & accepted, and the committee are directed to prepare a Letter accordingly. Sent up for concurrence.

T. Hutchinson, Spk^r.

In Council, Novr 3^d 1748. Read & concurr'd

J. Willard, Sec^y.

Consented to W. Shirley.

Copy Exam'd pr. J. Willard, Sec^y.

Massachusetts Bill projected to sink the Paper Currency, &c.

[Copied from "Belknap Papers," pp. 273–278.]

Anno Regni Regis Georgii Secundi Vicesimo Primo.

An Act for calling in & exchanging the Bills of Credit of the several Denominations which have at any time been issued by this Government, & are still outstanding & for ascertaining the Rate of coined silver in this Province for the future.

Whereas the Bills of Credit issued by this Province have for many years past been the only medium or Instrument of Trade & commerce throughout the Province & said Bills have from time to time greatly depreciated in their value notwithstanding the several Acts pass'd & other means used for preventing the same, & great injustice to all Trade & Dealing has necessarily been occasion'd thereby, as also various other mischiefs which are the consequents of an uncertain depreciatory currency & no sufficient Remedy can be applyed to these manifest Evils unless the whole sum in Bills of credit now outstanding be called in & Exchang'd & a fixed invariable medium provided & established in the place thereof—and whereas his Majesty has been graciously pleased to order the accounts of the Expence in the late successful Expedition to Cape Breton to be laid before the Parliament on whose favour this Province have all imaginable Reason humbly to Rely for a Reimbursement, but the whole Amount of said Accounts being insufficient to Discharge the whole Bills outstanding;—In order therefore to the obtaining such further sum as together with such sum as may be granted by Parliament as aforesaid, shall be sufficient to exchange the whole of said Bills:

Be it enacted by the Governour, Council & House of Representatives that . . . . . be and they are hereby Authorized & fully impower'd to agree & contract in the Name & behalf of this Government with any company or companies, Person or Persons whatsover within the Realm of Great Britain for the Loan of a sum not exceeding . . . . . Thousand Pounds Sterling, for the Term of Twelve Years at a reasonable Interest according to the dis-

cretion of the said . . . . . one twelfth part of the Principal Sum so Borrowed to be Repaid at the expiration of each year together with the Interest of the whole Principal Sum the first year & the Interest of such part of the Principal Sum at the Expiration of each of the succeeding years, as shall then be unpaid, and the Faith of this Government is hereby Plighted & Engaged for the performance of such contract as may be made by the said . . . . . by virtue of this Act as aforesaid.

And be it further enacted, that the said . . . . . be & hereby are impowered & required to cause the whole of such sums as may be Granted by Parliament as aforesaid and of such further sum as shall have been borrowed as aforesaid to be invested in or laid out for the Purchase of foreign Coined Silver, viz. Spanish mil'd Dollars or Peices of Eight, Half, Quarter, & Real Peices and to cause the same to be ship'd on Board some one or more of his Majestys ships that may be bound to this Province consigned to the order of this Government, and upon the Receipt thereof the whole sum shall be Lodged or placed in the Treasury of this Province in order to Exchange the whole of the Bills of Credit that now are or may then be current.

And be it further enacted, that within . . . . . days next after the arrival & Receipt of such Granted & Borrowed sum as aforesaid, Proclamation being first made or publick notice being given by order of the Governor & Council the Possessors of the Province Bills then outstanding upon bringing such Bills unto such Commissioners as may hereafter be appointed & impowered for that purpose, or in case no such commissioners shall be appointed, upon bringing the same unto the Treasurer of the Province, every such Possessor shall be intitled to and shall receive in exchange therefor Silver at the Rate following, viz. for every 44s in Bills commonly known & understood by Bills of the old Tenor one Peice of Eight, and for every 11s in Bills commonly known & understood by Bills of the Middle Form & tenor one Peice of Eight, & for every 11s in Bills commonly known & understood by Bills of the New Form & tenor one Peice of Eight, and so proportionally for a greater or less sum in the Bills of each & either of the Forms & Tenor aforesaid, *Provided* nevertheless that if the Possessors aforesaid shall not offer such Bills in Exchange within . . . . . years from and after Proclamation being made or publick Notice given as aforesaid, all Right or claim for the Redemption or Exchange thereof shall determine & cease.

And whereas all Debts Dues Demands Bargains & contracts whatsoever that are not otherwise specially contracted are now understood to be payable & may be Discharged by the Publick Bills of Credit of this Province & upon any actions being brought in the Courts of Judicature within this Province & Judgment being made up upon such Action & Execution issued such Execution may now be satisfied & Discharged by the Publick Bills of Credit as aforesaid.

Be it further enacted, That from and after the time appointed by Proclamation or Publick notice for Exchanging said Bills as aforesaid all Debts Dues Demands Bargains & contracts payable in Bills of Credit as aforesaid shall be understood to be payable in coined silver only & all Executions in consequence of any Judgment of Court in all actions heretofore brought or that may at any time hereafter be brought for the Recovery of such Debts Dues Demands Bargains or contracts heretofore made & contracted as aforesaid shall & may then be discharged by Silver at the Rate following, viz, Every 44s of such Debts Dues or Demands which were payable or might be discharged in Bills of the old Tenor shall and may be Discharged by one Peice of Eight, and every 11s of such Debts Dues or Demands which were payable or might be discharged by Bills of the middle Tenor or by Bills of the New Tenor shall or may be discharged by one Peice of Eight, so proportionably of any Debt or Demand of greater or less value.

And whereas in and by the several Acts of this Government for issuing the Publick Bills of Credit provision has been made for drawing said Bills into the Publick treasury again by certain Taxes which by said acts it is provided shall be laid on the several Towns in this government in each of the several years from this present year until the year one thousand seven hundred & sixty:—

Be it further Enacted that the several clauses in the Acts aforesaid providing for the bringing in to the Province Treasury by Taxes the several sums in Bills of Credit issued by virtue of such Acts be and hereby are Repealed & Declared Null & void.

And for the making Provision for the raising such sum as shall be necessary in order to repay the Principal Sum borrowed by virtue of this Act & the Interest that in each year shall become due,

Be it enacted That in each of the Twelve several years for which the aforesaid sum shall be borrowed one Twelfth part of the principal sum and such further sum as by this Act is determined in each year shall be paid for Interest shall be raised by a Duty of Impost & Excise on such commodities as shall hereafter be agreed on & provided for by an act of this Court and in case of any failure a difficiency in such Duty or Excise,

Be it further Enacted that the Treasurer of the Province for the time being be & he hereby is impowered & required to send forth his Warrants sometime in the month of June in the next year after such failure, & so in case of failure in any or every of the Twelve years for which the aforesaid sum shall be borrowed directing the Selectmen or Assessors of each Town & District within this Province to assess the Polls & Estates both Real and personal within their several Towns & Districts for their respective part & proportion of such Failure or Difficiency and the Assessors as also persons assessed shall observe be governed by & subject to all such Rules & Directions as shall have been given in the Tax Act then last Preceding.

And for establishing the Rates at which Silver coin shall pass in this Government & preventing a Depreciating medium for the future,

Be it Enacted That all Debts, Dues Bargains & Contracts whatsoever from & after Proclamation being made & a publick [notice] being given of the Exchange of the Bills of Credit as in this Act before provided, shall be understood to be & hereby are declared to be in silver, at . . . . . and all Spanish mill'd Peices of Eight of seventeen Penny weight Twelve grains shall be accounted taken & paid at the Rate of six shillings pr peice for the Discharge of any contracts or Bargains to be made after such time of Exchange as aforesaid, the halfs, quarters, & other less peices of the same coin to be accounted, receiv'd, taken or paid in the same proportion, and if any Person shall for the Discharge of any such contracts or Bargains account Receive take or Pay any silver coin or any of the said Peices at any greater or higher Rate than at which the same is hereby Regulated & allow'd, every such Person so accounting receiving taking or paying the same shall forfeit the sum of . . . . . Pounds for every offence, one moiety thereof to his majesty his heirs & successors, to and for the use of this Government, the other moiety to him or them that shall sue for the same, to be recovered with full costs of suit by action of Debt Bill Plaint or Information in any of his Majesty's Courts of Record within this Province and all merchants Traders & Tailors are hereby Required to conform their Books & accounts according to the Regulation aforesaid, any former usage to the contrary notwithstanding & any Books & accounts which shall not be made to conform to the said Regulation shall not be allowed or admitted to be produced in Evidence for the Recovery of any Debt in any of his Majesty's courts within this Province.

And be it further Enacted that if any Person from & after the time determined by this Act for Exchanging the Bills of Credit of this Goverement shall account Receive take or Pay any Bill or Bills of Credit of this or any other of the Governments of New England in Discharge of any contract or Bargain whatsoever every such Person so accounting receiving taking or Paying the same shall forfeit the sum of . . . . . Pounds for every offence to be recover'd & apply'd in like manner with the Forfeiture or Penalty for receiving taking or Paying Silver Coin at any higher Rate than is Regulated by this Act & every Person so offending shall likewise be Render'd forever incapable of sustaining any office in this Government.

Copy, examined pr

J. Willard, Secy.

Mr. Secretary came down again & bro't ye Petition of Thos Shepherd on behalf of ye Inhabitants of ye two Mile Streak so call'd & ye Petition of the Inhabitants of Epping praying for soldiers &c. also ye Petition of ye Select Men of ye Town of Portsm^o representing ye Difficulty of providing a Pest House &c & praying Reliefe.

The House Adjourn'd til to morrow 9 o'clock.

[P. 62.] Wednesday 9th March 1747-8.

The House met according to Adjournment.

Voted That there be allow'd twenty five Pounds nineteen shill^s & Seven Pence half Penny in full of a Muster Roll of five Men omitted in Maj^r Lovwell's Muster Rolls to be paid out of ye Money in ye publick Treasury. Sent up by Mr. Weare.

The Hon. Mr. Wibird bro't down ye Petition of Capt Richd Easman on his own as well as Behalf of ye other Inhabitants of Suncook & John Webster's Petition on his own as well ye behalf of ye other Inhabitants of ye Town of Rumford for Soldiers to guard &c.

Mr. Secretary bro't down ye Petition of Archibald Stark of Amaskeege praying on his own as well as on ye Behalf of ye other Inhabitants of s^d Aamskeege for Soldiers to guard them ye Ensuing Season &c.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

The House took under Consideration ye Petition of Joseph French for himself & on behalf of ye other Petitioners Inhabitants of Dunstable & on a motion made by Mr. Livermore Attorney to ye Petitioners y^t ye Hearing of s^d Petition might be defer'd 'til a further Day for reasons given & both Parties being heard & after Debate ye Question was put & pass'd in ye Negative upon which [P. 63.] Some Debate arose & a Motion made by some Members & Seconded by others for reconsidering s^d vote ye House took ye Motion under consideration & reconsider'd ye same & then

Voted That ye Hearing of s^d Petition be further defer'd til ye Second Day of ye Setting of Genl Assembly after ye tenth of April next. Sent up by Mr. Knight.

Mr. Secretary bro't down ye Petition of ye Inhabitants of Windham against a Petition from said Parish prefer'd by Saml Campbell—also ye Petition of sundry Persons Retailers of Spiritous Liquors within ye Prov. representing some wrong in ye Customary Method of guaging of Cask & praying that an Act may be past to regulate the Method of Guaging Cask &c.

The House took under consideration ye Petition of Josiah Cum-

mings & others Inhabitants of Notingham West prefer'd ye 2^d Decr last & a Motion was made by Mr. Livermore attorney to ye Petitioners to defer ye Hearing of s^d Petition & both Parties being heard withdrew & then

Voted That ye Hearing of s^d Petition be defer'd 'til ye Second Day of ye setting of ye Gen. Assembly after ye tenth of April next & order'd that ye Select men of s^d Notingham West legally notify ye Inhabitants of s^d Notingham West to meet between this Day & ye aforesaid tenth of April to know if they will exonerate ye Petitioners agreeable to their Petition or not. Sent up by Mr. Knight.

The House adjourn'd til to morrow 9 o'clock.

[p. 64.] Thursday 10th March 1747–8, A. M.

The House met according to adjournment.

The House took under Consideration ye Petition of John Marsh of Notingham prefer'd 14th July last praying that all ye Lands in s^d Notingham West might be subjected by an Act to a Tax of two Pence an Acre pr Annum for five years next ensuing for & towards building a New Meeting House purchasing a Parsonage & more comfortably supporting ye present Revd Pastor & to lay a Foundation for ye future support of ye Gospel Ministry &c. &

Voted That ye Prayer of s^d Petition be granted for one penny pr Acre & that ye Pet^rs have Liberty to bring a Bill accordingly. Sent up by Mr. Macmurphy.

The House took under Consideration ye Petition of Sundry Persons Retailers of Spiritous Liquours within this Prov. representing that ye Customary method of gauging Cask in this Prov. is by a common gaging Rod whereby they are often wronged &c. praying that an Act may be past to regulate s^d affair & that justice may be done &c. &

Voted That ye Prayer of the Petition be granted and that ye Petitioners have Liberty to bring a Bill accordingly. Sent up by Mr. Macmurphy.

Mr. Secretary bro't down ye Petition of the Selectmen of Nottingham for Soldiers & Commiss^r Penhallow's Petition for Wages & a Letter from Mr. Secretary Willard to his Excellency ye Govr.

The House adjourn'd for two Hours.

[p. 65.] Post Meridiem.

The House met according to adjournment.

Voted That Hugh Montgomery be allowed fifty-two Shill^s & ten Pence in full of his Acc^t for Labour & materials for repairing ye Province Goal to be paid out of ye money in ye publick Treasury. Sent up by Mr. Macmurphy.

Capt. Ebenr Easman's Account for Snow Shoes &c.

To a Journey with a Express to his Excellency in ye month of July last	£3
To 8 ps of Snow Shoes in ye Month of Jan last for ye Soldiers under my Command at 10 s pr	4
new Ten	£7

Voted That Eben. Easman be allow'd Seven Pounds in full of ye above acct to be pd out of ye money in ye publick Treasury. Sent up by Mr. Macmurphy.

Adjourn'd til tomorrow 9 o'clock.

Fryday 11th March 1747–8, 9 o'clock.

The House met according to adjournment.

An Account of two men forgot to be made up in Muster Roll of Zachs Lovewell Capt Vizt Ephraim Davis from July 1st til Augt 30th, 1747 Eight Weeks & 2 Days George Martin from July 3d to Augt 30th 1747 Eight Weeks Wages Subsistance & amunition for sd Men amounting to £5 : 17 : 9.

Voted That ye above acct be allow'd & paid to Sd Zachs Lovewell for sd Men out of ye money in ye publick Treasury and also [p. 66.] as there was a Mistake in Capt Goffes Muster Roll four Men Vizt Willm Gleny Jonathn Forguson Danl Lancaster & Daniel Merrill being carried off in Sd Muster Roll each thirty Shills & eleven Pence farthings short & also ye Allowance for Powder to all ye Men in Sd Muster Roll one shill short to each making four Pounds Sixteen Shillings & Six Pence Therefore Voted that there be allowed & paid to Sd Goffe eleven Pounds & three Pence to rectify said mistakes. Sent up by Mr. Macmurphy.

The House took under Consideration ye Petition of Saml Cambell of Windham Agent for said Windham & an Anti-petition of some of ye Inhabitants of sd Windham & after Hearing both Parties by themselves & Council & Debate thereon had

Voted That ye Twenty Families & their Estates mention'd in sd Petition be & hereby are entirely disannex'd & set off from sd Parish of Windham with Reguard to ye support of ye Ministry School Poor & other Parish Charges & that ye Petitioners have Liberty to bring in a Bill accordingly And that every other Part & Article of sd Petition be dismiss'd. Sent up by Mr. Macmurphy.

[p. 67.] Voted that his Exy ye Capt Gen. be desir'd to give orders for inlisting or impressing 170 good effective Men including those now in the Service to be imploy'd under such proper Officers as his Excellency shall appoint from ye 15th of April next (unless his Excellency shall see cause to order a Scout out before) to ye last of Sepr next in defending ye Frontiers guarding ye People at Work & scouting to be posted as follows Vizt thirty at Rochester

ten at Barrington & ye two Mile Strake twenty at Notingham one half to be kept constantly scouting from Rochester to Chester & Londonderry twenty at his Majesty's Fort William & Mary (including those now there) Ninety to be disposed off as his Excelleney may think best for the Defence of ye Frontiers on Merrimack River Viz^t Holles Monson Souhegan East Souhegan West Suncook Stark's Garrison at Amoskeage Pennecook Canterbury & Contoocook that Voluntiers be inlisted for ye whole Time if it may be done that impress'd men be changed once a Month that ye respective Towns or Garrisons where ye s^d soldiers are quarter'd supply them with good & suitable Provision & Victuals & Drink while they are in ye Service & be allow'd & paid therefor at ye Rate of one Shilling pr Day for each Man & if Notingham Barrington & [p. 68.] Rochester are not able to supply ye Men allow'd them that then Provisions be lodged by Treasurer in the Hands of John Gage Esq. to supply Rochester & Barrington Soldiers & in ye Hands of Peter Gilman Esq. at Exeter to supply the Notingham Soldiers & that ye Soldiers take Provisions from those Gentlemen to carry them to ye Respective Places where they are to be posted that ye Men at his Majesties Fort William & Mary be supply'd with Provision by ye Treasurer & that each Soldier be allow'd forty shill^s pr Month for his Wages & half a Crown pr month to find themselves ammunition The Soldiers at ye Fort to have no allowance for Ammunition. Sent up by Capt Jennes.

Voted That there be allow'd & pd to Capt. Eben^r Eastman thirty shillings there being so much short allow'd in his Muster Roll for Ammunition. Sent up by Mr. Weare.

Voted That Doc^r Joseph Atkinson be allow'd fifty shillings & nine Pence in full of his Acc^t for Medicine &c for Saml Drown to be paid out of ye Money in ye publick Treasury. Sent up by Mr. Weare.

Voted That Mary Peacock be allow'd seven Pounds six shill^s & ten pence half penny in full of her Acc^t for Boarding Saml Drowne to be pd out of ye Treasury. Sent up by Mr. Weare.

The House adjourn'd 'til to morrow 9 o'clock.

[p. 69.] Saturday 12th March 1747–8 A. M.

The House met according to adjournment.

Voted That for the Incouragement of such as shall inlist themselves for ye Defence of the Frontiers agreeable to ye vote of this House of yesterday that they be paid one Month's Pay advance ye Commanding or inlisting officer to receive ye Money out of ye publick Treasury for this End & to take Care to have effective Men & to be accountable to ye Genl Assembly for what money he shall so receive. Sent up by Mr. Macmurphy.

A Bill for Taxing ye Lands in Notingham West read three Times &

Voted That it pass to be enacted. Sent up by Mr. Macmurphy.

Voted That ye Canada Committee be directed to make an End of ye sale of ye Canada Provisions & that the Prov. Treasurer be directed to purchase of said Provisions fifty barrell of Pork & twenty Hog^ds Bread for ye use of ye Government for ye Defence of the Frontiers. Sent up by Mr. Weare.

Voted That ye following be sent to his Excellency in answer to his Message at ye opening ye Session Viz^t.

May it please your Exy.

The House have had under Consideration ye Subject matter of ye Vote of ye Genl Assembly of the Prov. of ye Massachusets Bay & Mr. Secretary Wil- [P. 70.] lard's Letter relating to ye Paper Currency & ye Method of having ye money remitted to this Country which the Parliament have granted to pay ye Charge of ye Expedition ag^t Louisburgh & ye intended Expedition ag^t Canada & we cannot but be of opinion that it will be best to have ye Money bro't to us in Specie in order for sinking of our Paper Currency & procuring a better Medium & shall be ready to come into proper methods for obtaining so valuable an End.

Sent up by Mr. Gage.

Mr. Secretary came into ye House & said he was directed by his Excellency to prorogue ye Genl Assembly of this Prov. to Tuesday ye tenth of May next & then in his Maj^s name declared this House prorogued accordingly.

[P. 71.] Tuesday 10th May 1748 Post Meridiem.

The House met.

Order'd That Clem^t March Esq. & Mr. John Knight go & inform his Excellency that a Quorum of ye House was met, who return'd that they had deliver'd their Message.

Mr. Secretary came down to ye House & said he was directed by his Excellency to inform ye Speaker that he required his & ye House's Attendance at ye Council Chamber forthwith The Speaker & ye House attended accordingly.

Mr. Secretary brot down his Excellency's written Speech. (1)

Voted That Coll Gilman Mr. Clarkson & Mr. Sherburne be a Committee to prepare an Answer to his Excellency's Speech.

The House adjourn'd til tomorrow 9 o'clock.

Wednesday 11th May, 1748, A. M.

The House met according to Adjournment.

Mr. Secretary bro't down ye Petition of John Tolford & Thos Wells of Chester on behalf of ye Inhabitants of said Chester on representing their exposed Situation & praying for Soldiers &c.

(1) See this Speech in Journal of the General Assembly of same date.—Ed.

which ye House immediately took under Consideration & after Debate thereon had the House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted That S^d Petition be dismissed.

Mr. Secretary Bro't down ye Petition of Daniel Moulton of Portsm^o & Eliz^th his Wife representing that Joshua Crocket had obtained in an illegal manner a verdict against them at ye last Superiour Court upon a Writ of Review & praying that Execution may be stay'd & that ye Judgement upon S^d Verdict may be cancelled & annihilated & a new trial upon ye S^d Writ of Review may be granted for Reasons in s^d Petition mention'd.

[P. 72.] The House immediately took under consideration ye Petition aforesaid and

Ordered That ye Petitioners be heard on their Petition on Wednesday next at ten o'clock A. M. & that ye Petitioners at their own cost serve ye Said Joshua Crocket with a Copy of this Petition & order of Court forthwith that he may shew Cause if any their be why ye Prayer of s^d Petition should not be granted. Sent up by Mr. MacMurphy. Mr. Secretary brot down ye Petition of Samuel Penhallow praying for a further allowance of ye Sum of one Hundred & Sixty nine Pounds for his Service as Commissary.

Mr. Secretary bro't down ye Petition of Capt Joseph Sherburne representing his great Services in ye late Expedition ag^t Louisbourg & in ye late intended Expedition against Canada & some unkindness with which he has been used and praying ye Advisement of ye Hon^bl House in ye Premises & that they will be pleased to become Intercessors in his behalf that he may not be disgraced & degraded undeservedly nor denied ye Pay to which his Commissions intitle him namely that of a single Captain at least &c.

The House adjourn'd 'til tomorrow 9 o'clock.

Thursday 12th May A. M. 1748.

The House met according to adjournment.

Yesterday being ye Day appointed for ye Hearing of ye Petition of Joseph French in his own as well as on ye Behalf of some other of ye Inhabitants of ye town of Dunstable last night Joseph Blanchard Esq. one of S^d Petitioners came into ye House being sent for was asked whether he was ready for S^d Hearing S^d Blanchard pray y^t ye Hearing might be deferr'd 'til to Day for Reasons he gave.

Mr. Jonathan Lovewell also came into ye House & prayed that [P. 73.] S^d Petition might be dismissed for Reasons he gave & prayed that he might be heard upon ye Point by his Council this

Day accordingly both Parties were heard by their Council & then withdrew when the House immediately took ye Motion under Consideration & after Debate thereon it was

Voted That ye Petition should be heard in ye afternoon.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Coll Blanchard & Mr. Lovewell being call'd came into ye House & were heard themselves & by their Council but there not being time this afternoon fully to hear both Parties & ye Daylight being spent

The House adjourned 'til tomorrow 9 o'clock.

Fryday 13th May 1748 A. M.

The House met according to adjournment.

Coll Blanchard & Mr. Lovewell being call'd agreeable to ye order of ye House of last Night proceeded themselves & by their Council ye S^d Petition which took up all ye forenoon & then

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted That John Macmurphy Esq & Capt Israel Gilman be a Com^tee to get ye Act concerning Fences & Highways revived.

Coll. Blanchard & Mr. Lovewell being again called into ye House & fully & finally heard on ye S^d Petition themselves & by their Council were ordered to withdraw And then the House proceeded to Debate on ye Affair &

Voted That ye Prayer of S^d Petition be granted & that ye Meetings & ye Votes mentioned in S^d Petition be & hereby are declared illegal null & Void. Sent up by Mr. Sandburn.

John Macmurphy Esq pray'd Leave to enter his Dissent.

The House adjourn'd 'til tomorrow 9 o'clock.

[P. 74.] Saturday 14th May 1748 A. M.

The House met according to adjournment.

Mr. Secretary bro't down ye Petition of ye Rev^d Mr. Stevens to Capt Goffe praying for reinforcement for Souhegan East Souhegan West Contoocook & Canterbury &c. & ye Petition of Capt Job Clements and man for Rum.

Mr. Secretary came into ye House & Said he was directed by his Excellency to inform ye House that he had adjourn'd ye Genl

Assembly of this Prov. to Monday next at twelve o'clock & then in his Majesties Name declared this House adjourn'd accordingly.

Monday 16th May 1748 P. M.

Part of ye Members met but not a quorum of ye House about 5 o'clock. The House adjourn'd 'till tomorrow 9 o'clock.

Tuesday 17th May 1748 A. M.

The House met according to adjournment.

Voted That his Excellency be desired to give Orders for inlisting or impressing twenty good effective Men more than ye last Grant to be employ'd 'til ye last of Sept. next under a proper officer with twenty of ye men before granted as a Marching Scout to be kept constantly out scouting on ye Frontiers from Rochester to Barrington Nottingham Chester & Londonderry & that his Excellency be also desired to appoint Such an Officer to command this Marching Scout whose fidelity and usefulness may be depended upon & who may have Power on any Sudden Emergency to command ye other men out of ye Garrisons. Also that his Excellency [P. 75.] be desired to give orders for inlisting or impressing twenty men more to relieve ye twenty sent to Pennecook Contoocook &c. beyond ye Grant and keep them out as a Marching Scout on that Frontier 'til ye last of Sept next that Voluntiers be inlisted for ye whole time & impress'd men be changed once a month. Sent up by Mr. Sanborn.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Mr. Secretary bro't down ye Petition of Joseph Blanchard Esq. in behalf of himself and other Freeholders & Inhabitants of Dunstable representing on ye 30th Day of March last past ye Town of Sd Dunstable & chose two Sets of Officers for every office in Sd Town &c. & Praying that ye Choice made by ye Majority of ye Votes aforesaid may be confirm'd & declared valid or that ye whole Proceedings may be nullified & a new Meeting called under ye Direction of ye General Assembly & that some Law may be enacted to prevent ye like Inconveniences for ye future &c (1).

The House took ye aforegoing Petition under Consideration & after Debate thereon had

Voted That ye Petitioner be heard on his sd Petition ye next

(1) The abovesaid petition and proceedings relating to the difficulties in Dunstable, are found in the Secretary's office, in MS. Vol. 11, "Towns."—Ed.

Thursday come Seven night & that he at his own cost serve both sets of select men & both Town Clerks that were chosen on s^d^ thirtieth of March with a copy of his s^d^ Petition & this order of Court between this Day & next Fryday night that they may shew Cause if any they have why ye Prayer of s^d^ Petition should not be granted. Sent up by Mr. Macmurphy.

Mr. Secretary bro't down ye Petition of Clement March Esq. [p. 76.] representing that he owns two small Pieces of Land which he purchas'd &c. & which lie contiguous to his other Lands but were never set off to Greenland &c. & praying that s^d^ two Pieces of Land may be set off for Reasons in s^d^ Petition mention'd.

Voted That ye Petitioner be heard on his Petition ye next Wednesday come seven night & that he at his own cost serve ye select men of Portsmouth with a copy of this Petition & this order of Court between this & next Fryday that they may shew cause if any they have why ye Prayer of his Petition should not be granted. Sent up by Maj. Davis.

Mr. Secretary bro't down ye Petition of Leah & John Nutter representing that Hateevil Cord^r^ & Anthony Nutter yeomen both of Newington prosecuted an Action of Ejectment against them at ye Inferior Court in July 1747 by adjournment to recover three tenth Parts of thirteen Acres of Land more or less in Newington afores^d^ &c. & recover'd judgment &c. praying s^d^ judgment may be set aside & they may have a rehearing of s^d^ cause at ye next Sup^r^ Court &c.

Voted That ye Petitoners be heard on their Petition ye next Wednesday come seven-night & y^r^ they at their own cost serve ye adverse Parties with a copy of this Petition & this order of Court between this & next Fryday that they may shew cause if any they have why ye Prayer of ye Petition should not be granted. Sent up by Mr. Knight.

[p. 77.] The House adjourn'd 'til tomorrow 9 o'clock.

Wednesday 18th May 1748 A. M.

The House met according to adjournment.

Voted That there be allow'd & pd unto James Rodgers & his son Charles both of Rochester ye sum of twelve Pounds ten shill^s^ in full of their service in assisting Commissary Penhallow to be pd out of ye money in ye publick Treasury for ye Expedition against Canada. Sent up by Mr. Knight.

Voted That Mr. Commissary Penhallow be allow'd thirty Pounds more in full of his Wages as Commissary for ye intended Expedition against Canada to be paid out of ye money in ye publick Treasury for ye Expedition against Canada. Sent up by Mr. Knight.

The House adjourn'd for two Hours.

Post meridiem 1748.

The House met according to adjournment.

The House took into Consideration ye Petition of Danl Moulton & wife bro't down 11th Instant & heard both Parties fully by their Council & then

Voted That ye Prayer of s^d Petition be granted & y^t ye Petitioners have Liberty to Bring a Bill accordingly. Sent up by Capt. Jennes.

The House adjourn'd 'til tomorrow 9 o'clock.

Thursday 19th May 1748, P. M.

The House met according to adjournment.

Voted That ye Captain of the Scout of forty men granted the 7th Instant be allow'd for Wages four Pounds pr month provided he be employ'd agreeable to s^d vote & keep & render a Journal of [P. 78.] his Marches & other Proceedings to ye Genl Assembly and that ye Commanders of other Parties of Men not less than twenty be allow'd for Wages three Pounds ten shill^s pr month & that Sargents be allow'd three Pounds pr month for Wages & that all Centinells employ'd in ye service of this Government ye Current year be allow'd Wages fifty five shill^s pr month and that all ye men posted near or upon Merrimack River be allow'd fifteen Pence pr Day for Billeting. Sent up by Coll Wallingford.

The House adjourn'd for two Hours.

Post meridiem 1748.

The House met according to adjourn^t.

Voted That Eliz^th Drown be allow'd & pd twenty shill^s & Mary Drown ten shill^s in full of their acc^ts for Nursing of Saml Drown to be pd out of ye money in ye publick Treasury. Sent up by Maj^r. Davis.

Voted That Saml Drown be allow'd & pd three Pounds as a full & final Satisfaction for his being Wounded by ye Indians to be pd out of ye money in ye publick Treasury. Sent up by Maj. Davis.

The House adjourn'd til tomorrow 9 o'clock.

[P. 79.] Fryday 20 May 1748, A. M.

The Speaker & other Members being out upon Comm^ts there was no Quorum of ye met Mr. Secretary adj'd ye Genl Assem. till four o'clock.

Post meridiem 1748.

The House met according to adjournment.

Voted That Geo. Warren be allow'd ten shill^s in full of his acc^t

for Hooks & Hindges for ye Prison to be pd out of ye Interest of ye twenty five Thousand Pound Loan for Repairs of ye Prison. Sent up by Coll Wallingford.

Voted That Walter Warren be allow'd ten Shillings in full of his Acc^t as Express to Exeter & North Hampton ye 10th April last to be pd out of ye money in ye publick Treasury. Sent up by Coll Wallingford.

The House adjourn'd til tomorrow 9 o'clock.

Saturday 21st May 1748.

The House met according to adjournment.

Mr. Secretary came into ye House & said he was directed by his Excellency to inform ye House that he had adjourn'd ye Gen. Assembly of this Province to Tuesday next ten o'clock A. M. & then in his Majesties name declar'd this House adjourn'd accordingly.

[P. 80.] Tuesday 24th May 1748, A. M.

The Speaker and members not being come in about one o'clock Mr. Secretary said his Excellency had directed him to adjourn ye Genl Court til three o'clock.

Post meridiem

The House met according to adjournment.

And after reading Sundry Bills &c. & Debating thereon,

Adjourn'd 'til tomorrow 9 o'clock.

Wednesday 25th May 1748 A. M.

The House met according to adjournment.

Whereas it appears that in making up Maj^r Davis's Muster Rolls y^t passed ye House ye 20th Novr last ye Names of Samuel Weymouth & Nathaniel Heard were left out of one of said Muster Rolls by which Means ye S^d Saml is 16^s short of his Wages & ye Said Nathaniel thirty shillings short of his which has been advanced & paid by s^d Maj^r Davis it is therefore

Voted That there be allow'd to S^d Maj^r Davis forty six shill^s & one Penny to be paid out of ye money in ye publick Treasury. Sent up by Mr. Sanborn.

[P. 81.] The House took under consideration ye Petition of Stephen Greenleaf & James Stoodley & s^d Stoodly being heard himself & by his Council &

Voted That s^d Petition lay for Consideration.

The Honble Mr. Downing bro't down a written Message from his Excellency which is on file. (1)

Voted That ye following be sent to his Excellency in answer to his message by Coll Downing Viz^t.

May it please y^r Excellency

In answer to your Ex^ys Message of this Day by Coll. Downing the House are of opinion that ye Draughting of ye five men from Canterbury & ye five from Contoocook as your Excellency proposes with ye Eight Men not yet sent out & two men more ye House are now ready to grant will make ye Scout of twenty Men granted ye 17th Instant.

102 Posted by his Ex^y	90 first granted
8 not yet sent out	20 granted 17th Instant
2 more to be granted	2 now to be granted
112	112

Sent up by Mr. Knight.

The House adjourned for two Hours.

Post Meridiem.

The House met according to adjournment.

This being ye Day appointed for Hearing ye Petition of Leah Nutter & John Nutter ye Parties being called & fully heard by their Council were dismissed & then after some debate it was

Voted That said Petition should be dismissed.

The House adjourn'd til tomorrow 9 o'clock.

[P. 82.] Thursday 26th May 1748 A. M.

The House met according to adjournment.

The House took under Consideration ye Petition of Clem^t March Esq. praying that two certain pieces of Land might be set off to ye Parish of Greenland Portsm^o being notified laid in their Answer in writing which is on File & then withdrew. The House then proceeded to debate on s^d Affair &

Voted That said Petition be dismissed.

The Hon Mr. Sheaf bro't down ye Petition of Thos Wallingford Esq in behalf of ye Parish of Summersworth praying that an Act may be pass'd effectually to enable ye said Parish to Choose a Collector of their Annual Taxes &c. S^d Petition was bro't down yesterday.

This being ye Day appointed for ye Hearing of ye Petition of Joseph Blanchard Esq on behalf of the Inhabitants of Dunstable as well as his own ye Petitioners & Respondents being called & ye Petition being open'd & Some Evidence examined & the Time being Spent ye House

Adjourn'd for two Hours.

(1) This message cannot be found.—Ed.

Post Meridiem.

The House met according to adjournm^{t}.

The Dunstable Petitioners & Respondents being again called agreeable to ye order of ye House & fully heard themselves & by their Council withdrew & then ye House proceeded to debate on ye Affair &

Voted That ye whole Proceedings of ye Town of Dunstable at their Meeting on ye 30th of March last be nullifyed & made void & [p. 83.] it is hereby order'd that a Meeting shall be held by ye Freeholders & Inhabitants of s^{d} Town of Dunstable (qualified to Vote as is herein after mention'd) on ye Third Wednesday of June next at ten o'clock in ye forenoon at ye Meeting House in s^{d} Dunstable to choose a Town Clerk Selectmen & all other Town Officers as Law directs which Meeting shall be warned by Posting up a Copy of this order of Court attested by ye Secretary at two publick Houses in s^{d} Town ten Days at least before ye Time appointed for holding s^{d} meeting & Capt Thos Colburn of Notingham West is hereby appointed to be ye Moderator of s^{d} Meeting & to be p^{d} for his Trouble therein And it is resolved y^{t} all Freeholders being Inhabitants & all other Inhabitants ratable at twenty Pounds estate according to ye last year's Invoice of s^{d} Dunstable have a Right to Vote at said Meeting. Sent up by Mr. Macmurphy.

The House adjourn'd til tomorrow 9 o'clock.

Fryday 27th May 1748 A. M.

The House met according to adjournment.

Voted That Danl Peirce Gent^{m} be & hereby is nominated & appointed one of ye Committee of Trustees for Managing ye Affairs of ye twenty five thousand Pounds Loan agreeable to s^{d} Act in ye Room of Joseph Peirce Esq deceased. Sent up by Mr Macmurphy.

Voted That Sarah Priest be allow'd four Pounds ten Shillings in full of her Account for House Rent to ye 25th of March last to be p^{d} out of ye Money in ye Publick Treasury. Sent up by . . . .

[p. 84.] Voted That Capt Eben^{r} Eastman's Muster Roll amounting to two Hundred & ninety two Pounds thirteen Shillings & five Pence 1-2^{d} for himself & fifteen men under his Command from Novr Last to April following be allow'd & paid out of ye publick Treasury. Sent up by Mr. Knight.

Voted That Ja^{s} Clerkson Esq. Mr Henry Sherburne jun. & Thos Bell Esq be a Committee of this House to join such as may be appointed by ye Hon Council to examine & audit ye Treasurers Acc^{ts} & make Report to ye Genl Assembly as soon as may be & also to tell over & receive the Money in ye Treasurer's Hands

which is by acts of ye Government to be burnt & bring ye same to ye Genl Assembly to be burnt to ashes. Sent up by Mr. Knight.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according adjournment.

The House took under Consideration the Petition of Thos Wallingford Esq brot down ye 26 Instant.

Voted That ye Petitioner be heard on his Petition ye next Wednesday at three o'clock afternoon & that ye Petitioner at his own Cost Serve ye Selectmen of ye Town of Dover with a copy of this Petition & this order of Court by tomorrow Night that they may Shew Cause if any they have why ye Prayer of ye Petition should not be granted. Sent up by Mr. Sanborn.

Voted That there be paid to his Excellency ye Governour out of ye Money in ye Prov. Treasury two Hundred & fifty Pounds in full Discharge of any Arrearages or Deficiences in his Ex^y Salary for ye year 1747 to ye 12th of Decr last. Sent up by Messrs Leavit Jennes & Knight.

[p. 85.] Voted That ye Hon. Theo^d Atkinson Esq. be allowed fifty Pounds for his common Service as Secretary for ye year 1747 & twenty five Pounds for his Extra^y Service as Secretary in s^d year to ye 25th of March last past to be paid out of ye Money in ye publick Treasury. Sent up by Capt Gilman.

The Hon^ll Sampson Sheaf Esq. bro't down Coll Blanchard's Petition with ye following Vote under ye Houses vote on said Petition read & noncurr'd & Voted that ye Several votes pass'd at ye Meeting within mention'd of which Major Zacheus Lovewell was Moderator be hereby ratified, & confirmed & that ye Respective Officers elected at ye s^d meeting be deemed ye lawful officers of s^d Town for ye year ensuing & that ye other Meeting mention'd above held in s^d Town at ye same Time of which Mr. Jonathan Lovewell was chosen Clerk & all ye votes Actions & Transactions thereof be & are hereby made void & of none effect & tis hereby further order'd & directed that all Parties in s^d Town conform themselves accordingly.

Theodore Atkinson Sec^y.

Which being read

Voted That ye foregoing vote of ye Hon^bl Council be nonconcurr'd & that ye House adhere to their former vote. Sent up by Mr. Macmurphy.

The Hon^bl Mr. Sheaf bro't down ye Petition of Eb^r Eastman in behalf of Joseph Pudney of Rumford pray that he might be posted as a soldier at ye Garrison of Rumford afores^d.

Voted That s^d Pudney be posted at s^d Garrison til ye last of Sep^t next. Sent up by Capt Gilman.

[p. 86.] Voted That Thos Packer Esq be allow'd Eight Pound

for his service as Sherriff for ye year 1747 to ye 25th of March last & seven Pounds in full for House Rent fire & Candles to ye twenty fifth of March last to be paid out of ye Money in ye Treasury. Sent up by Capt Gilman.

Voted That Benj Acreman be allow'd thirteen Pounds for his service as Door Keeper for ye year 1747 to ye 25th of March last past to be paid out of ye money in ye publick Treasury. Sent up by Capt Gilman.

Mr. Secretary bro't down ye Petition of Joseph Newmarch & Mathew Livermore Esq^s agents for ye Town of New Castle praying that there may be paid ye arrearages of twenty four Pounds pr Annum granted for ye Benefit of ye Gospel Ministry at s^d New Castle by an Act made & pass'd in ye 12th year of his late Majesties Reign &c.

The House adjourn'd 'til to morrow 9 o'clock.

Saturday 28th May 1748 A. M.

The House met according to adjournment.

Voted That there be allow'd to the Rev^d Mr. Samuel Langdon fifty shillings for his service as Chaplin to ye House for ye year 1747 to be paid out of ye Money in ye Treasury. Sent up by Capt Gilman.

The House took under Consideration ye Petition of Joseph Newmarch & Mathew Livermore Esq^rs bro't down last night by Mr. Secretary &

Voted That ye Petitioners be heard on their Petition on Fryday next at three o'clock Post Meridiem. Sent up by Capt Gilman.

Voted That all ye Committees for ye Louisbourg & Canada Ex-[p. 87.] peditions lay their Accounts of their time & Expences while in s^d service before ye Genl Assembly on Tuesday next. Sent up by Capt Gilman.

Mr. Secretary came into ye House & said he was directed by his Excellency to inform ye House that he had adjourn'd ye Gen. Assembly of this Prov. to Monday next at ten o'clock & then in his Majesties Name declar'd this House adjourn'd accordingly.

Monday May 30th 1748 A. M.

The Speaker nor a Quorum of ye House not being come in ye Members present departed.

Post Meridiem 3 o'clock.

There not being a Quorum of the house come to Town ye Speaker adjourn'd for two Hours to . . . . . .

Met according to adjournment & Adjourn'd til to morrow 9 o'clock.

Tuesday 31st May 1748 A. M.

The House met according to adjournment.

An Act for regulating Town Meetings & an Act for Gauging Cask by Gunter was read ye first Time.

Voted That ye Commtee for repairing his Majesties Fort William & Mary lay their Accts before ye General Assembly as soon as may be. Sent up by Mr. Macmurphy.

[P. 88.] Voted That ye Committee for ye 15000£ Loan finish & compleat yt Affair & lay a State of it before ye Genl Assembly as soon as may be. Sent up by Mr. Macmurphy.

Voted That ye Committee for Managing ye Affair of ye twenty five thousand Pound Loan lay the State of that affair before ye Genl Assembly & that an Account be render'd to ye Genl Assembly of ye money that has been already paid into ye Treasury for Interest of sd Loan. Sent up by Mr. Macmurphy.

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournment.

Voted That the Muster Roll of Thos Bell Esq. for himself & twelve Men under his command at Fort William & Mary from 9th December 1747 to ye 25th of March following amounting to seventy three Pounds fifteen shillings & ten Pence be allow'd & paid out of ye Money in the publick Treasury. Sent up by Mr. Knight.

Voted That Thos Bell Esq. be allow'd seventeen Pounds Eleven Shillings & three Pence three farthings in full of his Acct for sunds supply'd ye Fort to this Day to be pd out of ye money in ye Treasury. Sent up by Mr. Knight.

[P. 89.] The Honbl Messrs Atkinson, Smith & Downing bro't down his Excellys written Message which is on file (1) recommending an Augmentation of ye Grant of 20 men to scout on ye Frontiers which ye House took under Consideration immediately &

Voted That there be no Addition to ye men already granted.

Voted That ye following be Sent to his Excellency in answer to ye foregoing Message Vizt.

May it please yr Excelly

The House have consider'd of yr Excellency's Message this afternoon by ye Hon. Theod. Atkinson Esq. &c. & as ye Grants for ye Defence of ye Western Frontiers so much exceed those of last years cannot see their Way clear to make any further Grant at present.

Sent up by Messrs Macmurphy Jennes & Knight.

The House adjourn'd 'til to morrow 9 o'clock.

(1) This message not found.—Ed.

Wednesday 1st June 1748 A. M.

The House met according to adjournmt.

The Committee of both Houses appointed on Fryday last to tell over & receive ye money in ye Treasury to be burnt report as follows Vizt.

That the said Committee have received from ye Honb. George Jaffrey Esq. ye sum of two Hundred & Seventy Eight Pounds fourteen shills & three Pence old Tenr being Part of ye Prov. Tax for the year 1742 also Sixty four Pounds four shillings & nine Pence old Tenr being part of ye fifteen thousand Pound Loan also two Hundred & nine Pounds fifteen shillings & Six Pence [P. 90.] new Tenr being Part of ye out standing Debts for the Prov. Tax for ye years 1743, 1744, 1745, 1746, also Seven Hundred & thirteen Pounds ten Shillings like money being Part of ye Prov. Tax for ye year 1747 every of which sums were bro't into ye Genl Assembly & burnt to ashes before their Faces.

The Several sums immediately before mention'd being bro't before ye General Assembly were burnt to Ashes before their Faces as aforesaid & therefore it was

Voted That ye aforesaid Committee be discharg'd of sd sums accordingly. Sent up by . . . . . .

The House adjourn'd for two Hours.

Post Meridiem.

The House met according to adjournmt.

This being ye Time appointed for Hearing ye Petition of Thos Wallingford Esq. in behalf of ye Parish of Summersworth & the Town of Dover being Notified appear'd by their Agents Vizt.

Thos Millet Esq. & Capt John Winget ye Petition being read a motion was made by ye Agents of Dover to know whether sd Thos Wallingford had power to Petition as aforesd & ye Power being read it was moved by sd Agent whether ye Petition & ye Power agreed upon which ye Parties were order'd to withdraw & then ye House proceeded to debate on sd Motions & after sometime it was

Voted That said Petition be Dismissed.

[P. 91.] A Bill to prevent Deceit in ye Gage of Cask read three Times &

Voted That it pass to be Enacted. Sent up by Mr. Knight.

The House adjourn'd 'til to morrow 9 o'clock.

Thursday 2d June 1748 A. M.

The House met according to adjournment.

Mr. Secretary bro't down His Excellency's written Message which is on file (1).

Voted That ye Parish of Summersworth be set off from ye Town of Dover & be invested with all ye Privileges & Powers of a Town

(1) This message not found—Ed.

distinct from s^d Dover (except ye managing ye Common Lands) agreeable to ye Line mention'd in the Charter of s^d Summersworth & that one of ye three Members that s^d Dover & Summersworth have a Right to choose in Conjunction be chosen by said Summersworth seperately & that a Bill be bro't in accordingly. Sent up by Capt. Gilman.

The House adjourn'd for two Hours.

[P. 92.] Post meridiem 1748.

The House met according to adjournm^t.

Whereas the Encouragement that has been given by this Prov. for scouting after ye Indian Enemy has hitherto proved fruitless & ineffectual therefore

Voted That there be & hereby is granted to be paid out of ye Province Treasury two Hundred and fifty Pounds for each such Indian killed & scalp produced to ye Governour & Council in Evidence of his *her* being so killed to ye westward of Nova Scotia within six Months from this Day by any Party of ye Inhabitants of this Province not exceeding Sixty in Number y^t shall go out as Voluntiers with Commission or Warrant from ye Governour or Commander in Chiefe for ye Time being for y^t Purpose. And over & above ye two Hundred & fifty Pounds aforesaid each such Voluntier for his further Encouragement shall be allow'd & shall receive ye usual Soldiers Allowance of Bread & Meat & Amunition & for each Indian captivated & bro't alive to ye Governour & Council as aforesaid shall have & receive out of ye Treasury as afores^d two Hundred & fifty five Pounds, ye Money to be equally divided between s^d Voluntiers without respect to office, Provided nevertheless that no Person be permitted or Commissionated by his Excellency to lead or command s^d Scout but such whose courage & conduct is well known & approved & that said Scout be [P. 93.] constantly out in ye Woods except for such Time as may necessary & convenient for recruiting Provision &c. And that such Commander or some Person appointed by him keep & render a Journal of all their Marches & Proceedings from Time to Time to ye Genl Assembly on Pain of refunding ye full Value of ye Provisions & Amunition which they shall receive as aforesaid. And it is further Voted that if any Soldier or any Party of soldiers in ye Pay of this Province shall kill or captivate an Indian as aforesaid & produce ye Scalp or Indian alive to ye Governour & Council as aforesaid he shall have & receive one Hundred Pound therefor, & if any of ye other Inhabitants of this Prov. shall go out in Pursuit of ye Indian Enemy or shall otherwise kill or captivate an Indian & produce ye scalp or an Indian alive to ye Governour & Council as aforesaid shall have & receive ye sum of two Hundred Pounds and all former Grants of this Nature heretofore passed by this Court are hereby superceded & set aside. Sent up by Maj. Davis.

Voted That ye Committee of War for ye Expedition against

Canada cause ye Stores that did belong to ye Brig St. Clair & Sloop Warren now at New Castle be sold at publick Vendue to ye highest Bidders & that ye money be paid into ye publick Treasury. Sent up by Maj. Davis.

Voted That the following Rec^t^ be enter'd in ye Minuits of ye House vizt.

Rec'd from Jotham Odiorne Esq. Coll Henry Sherburne & Maj. Eb^r^. Stevens two thous'd three Hundr^d^ & sixty Eight Sheets from ye large Plate & sixteen Hundred & Seventy Sheets from ye small Plate & two Shill^s^ & six Pence Bills of Cred^t^ for ye Canada Expedition at several Times to this 2^d^ June 1748.

pr George Jaffrey Treas^r^

[p. 94.] Mr. Secretary bro't down ye Bill for Taxing ye Lands in Nottingham West sent up ye 12th of March last & said that said Bill had pass'd ye Council but was not Assented by ye Govr before ye Prorogation & said that if ye House would Alter ye Date & send it up again it would pass ye Council Therefore

Voted That ye Date be alter'd to this Day & sent up again. Sent up by Mr. Knight.

The House adjourn'd til tomorrow nine of ye clock.

Fryday 3^d^ June 1748, A. M.

The House met according to adjournm^t^.

Voted That Capt Mark Langdon be allow'd forty eight shillings & three Pence in full of his Acc^ts^ for boards Labour & Table to this Day to be paid out of ye money in ye publick Treasury. Sent up by Mr. Knight.

A Bill for ye better repairing of high Ways having been read three Times,

Voted That it pass to be enacted. Sent up by Messrs Clarkson & Gilman.

A Message by Messrs Clarkson and Gilman to ye Hon^b^ Council vizt ye House waited for ye Committee's Acc^ts^.

[p. 95.] Mr. Secretary came down to ye House & said in Answer to ye Message of this forenoon by Messrs Clerkson & Gilman As to ye Canada Affair they had kept no Accounts of their time & that it would be dishonorable to form an Acc^t^ now & therefore submitted it to ye Genl Court to allow what they tho't proper & as to the Comm^tee^ for Louisbourg Expedition there was an Article charg'd in ye Accounts were gone Home for that Service which if ye King allow'd they expected to have it & divide among them according to ye service each one had done but if it was not paid for by ye King but ye Province was to pay it then ye House had a Right to enquire into ye Accounts of ye Service done & make Such Allowance as they tho't proper therefor.

The Members of ye House who were of the Said Committees say

they are ready to take anything ye Genl Assembly will please to allow them for their Service on S^d Committees. A Bill providing in Case of Sickness & to prevent ye spreading of any infectious Distemper Read three Times &

Voted That it pass to be enacted. Sent up by Capt Bell.

Coll Peter Gilman's Account of Provision supply'd Scouts being bro't into ye House & Read

Voted That S^d Account be allow'd & accepted & that there is due 16 gall^s of Rum to Coll Gilman & 373 ^lb Bread & 171 ^lb Pork due to ye Province. Sent up by Coll Wallingford.

[p. 96.] The Account of John Gage Esq. for Provision Supply'd Scouts being read

Voted That S^d Account be accepted & allow'd & that there is due to ye said Gage 1538 ^lb Bread 1224 ^lb Pork 11 Gall^s & 3-8 of a Gall of Rum. Sent up by Mr. Gage.

This being ye Day appointed for ye Hearing of ye Petition of Joseph Newmarch & Math^w Livermore Esq Agents for ye Town of NewCastle which Petition was preferr'd ye 28th May last but ye House not being able to attend S^d Hearing thro' Hurry of Business therefore Voted That ye Petitioners be heard on their Petition ye third Day of ye Setting of ye next Genl Assembly. Sent up by Capt Bell.

The House adjourned for Half an Hour & Met according to Adjournm^t.

Voted That ye Account of Willm Parker Esq for Sundry Address^s Bills & advice to this Day amounting to twenty three Pounds two Shillings & Six Pence be allow'd & paid out of ye publick Treasury. Sent up by Doc^r March.

[p. 97.] A Bill for An Act in Addition to & Explanation of an Act intitled an act for regulating Townships Choice of Town Officers & Setting forth their Power read three Times &

Voted That it pass to be enacted. Sent up by Coll Wallingford.

A Bill to nullify & make void ye whole Proceedings of ye Town Meeting held at Dunstable in ye Prov. of New Hampshire on ye thirtyeth Day of March 1748 & to enable ye Freeholders & other Inhabitants in s^d Town qualified &c to hold a Town Meeting in said Town to choose a Town Clerk Selectmen & all other Town Officers &c. read three Times &

Voted that it pass to be enacted. Sent up by Doc^r March.

Voted That John Gage Esq be allow'd Eighteen Pounds Eighteen Shillings & three Pence in full of his Account for transporting Provisions & Stores to Cochecho & Rochester & dealing of them out to ye Scouts to be paid out of ye Money in ye publick Treasury. Sent up by Capt Gage.

The House adjourn'd til to-morrow 9 o'clock.

[P. 98.] Saturday 4th June 1748 A. M.

The House met according to Adjournment.

Whereas the Committee appointed to treat with the Claimers under Mason & purchase that Claim for ye Benefit of ye Province have not yet been able to compleat any thing relating that Affair,

Voted That Peter Gilman Thos Bell & Mr. Henry Sherburne jun be a Committee of this House to join Such as may be appointed by ye Hon. Council to treat with make a Bargain & purchase of ye said Claimers their said Claim under Mason for ye use & Benefit of ye Government that they have full Power to get proper Instruments drawn executed & fully to compleat & finish the same agreeable to ye former Votes of ye General Assembly & to enable them immediately to transact this Affair a Sufficient Sum of Money be paid them by the Treasurer out of the publick Treasury & that the Same be bro't into the publick Treasury again by a Tax on ye Poles & Estates of ye Inhabitants of this Province this present year 1748 & that an Act be drawn accordingly. Sent up by Mr Macmurphy.

Voted That ye Account of ye Expence of ye late Expedition against Louisbourg amounting 22970 : 10 : 5 be accepted & allow'd & that ye Committees appointed to negociate said Affair be discharged of said Sum.

Coll Wallingford Mr Knight Capt Jennes & Capt Gilman pray Leave to enter their Dissent because ye Amount was altered & ye Article of £1300 for ye Committees service was taken out. Sent up by Messrs Bell & Leavit.

[P. 99.] Voted That ye Act about repairing High Ways the act in Addition to an Act for regulating Town Meetings The Act for preventing ye spreading of infectious Distempers & ye Act about guaging of cask past this present Session be all forthwith printed at ye Cost of ye Province in such a Manner as that they may suit to bind up with the Acts of this Province which are now in Print that there be two Hundred of each printed & two Copies of each sent to each Town Parish & District in this Province one to the Select-Men & one to ye Town or Parish Clerk That Eleazer Russell Esq be a Committee to get ye Same printed in ye cheapest & best manner he can & receive money out of Treasury for this End to be accountable to ye Genl Assembly. Sent up by Capt Jennes.

At one o'clock Mr Secretary came into ye House & said he was directed by his Excellency to inform ye House that he had Dissolved ye Genl Assembly of this Province & then in his Majesty's name declared this House dissolved accordingly.

JOURNAL

OF THE

GENERAL ASSEMBLY.

[Copied from a bound MS. volume in Secretary's office, labeled "Journal of the Council & Assembly, 1742–1750."]

[P. 1.] Prov. of New Hamp^{r}. Anno Regni Regis Georgii Secundi Decimo Quinto. 1742.

At a General Assembly held at Portsmouth Wednesday Jany the 13th 1741–2, Being the first session.

Present in Council.

His Excellency Benning Wentworth, Esq. Govern^{r}.

Richd Waldron Jos. Sherburn Ellis Huske	Esqs.	Theodore Atkinson Richd Wibird	Esqs.

The High Sherriff made return of the members chosen to serve in General Assembly, the Names as follows, viz.

Portsm^{o}	James Clarkson Hunk^{s} Wentworth Capt. George Walton
Greenland	Thos Packer
Stratham	Andrew Wiggin Esq.
Newington	George Walker
Hampton Falls,	Ichabod Robie
New Market,	Israel Gillman
Londonderry	Andrew Todd
Dover	Thos. Wallingford John Gage John Canny
Exeter	Saml Gillman Esq. Peter Gillman

Newcastle & Rye	Jotham Odiorne Richd Jennes
Hampton	Saml Palmer Joseph Towle
Kingston	Eben^{r} Stevens, Esq.
Durham	Jon^{a} Thompson

A message from his Excelency by Richd Waldron & Theodore Atkinson Esqs. to adjourn the members of the Assembly now convened til to morrow 10 o'clock, A. M. which was accordingly Don.

[P. 2.] At a General Assembly held at Portsm^{o} Thursday Jany 14th 1741-2, By adjournm^{t}.

Present as before.

His Excelency took several oaths before the Council as follows viz.

You swear that you will to the utmost of your power endeavor that in all Causes matters & things & in all Acts of Parliament now in force or that hereafter shall be made relateing to his Majestys Colonies or Plantations, shall be Punctually & bona fide observed according to the True Intent & meaning thereof. So help you God.

The members of his Majesty's Council took the several Oaths (before his Excellency the Governour) as follows viz.

You and each of you Sweare as members of his Majesties Council that in your s^{d} capacity you will do your utmost endeavour that all the Acts of Parliament which are now or hereafter shall be in force relateing to his Majesties Colonies & Plantations shall be punctually & bona fide observed according to the true Intent & meaning thereof.

You and each of you Swear that you will faithfully & Truely perform the Trust reposed in you by his Majesty's Comission and that you will administer Justice equally and impartially in all cases that shall come before you in judgment. So help you God.

His Excelency alsoe took the above s^{d} last mentioned Oath.

A message from his Excelency to the members return'd to serve on the Assembly by Richd Waldron Theod^{r} Atkinson and Richd Wibird Esqs. to administer to them the oaths appointed to be taken instead of the oaths of allegiance and supremacy and alsoe [P. 3.] the Declaration & to direct them to chuse a Speaker after they were Qualifyed who returned that they had administered the Oaths &c. & Deliver'd the message.

A message from the House to his Excelency the Govr by Messrs Packer, Walton & Wallingford that the House had chosen Andrew Wiggin Esq. Speaker.

A message from his Excelency to the House of Representatives by the Secretary to require their attendance at the Council board.

The Speaker & the House came up accordingly. To whom his Excelency made a Speech as follows viz.

[See this Speech in "Journal of the House," (1) p. 135 of this vol.]

Adjourn'd till to morrow 10 o'clock, A. M.

[P. 8.] Prov. of N. Hamp^{r}.

At a General Assembly held at Portsm^{o} by adjournm^{t} Fryday Jany the 15th 1741–2.

Present in Council.

His Excelency Benning Wentworth, Esq. Govr.

Henry Sherburne	Esqs.	Joseph Sherburne	Esqs.
Richd Waldron		Theod. Atkinson	
Joshua Peirce		Richd Wibird	

His Excelency laid before the board a Letter from the Camp at George Stadt on Cuba Dated August the 12th 1741 signed Thomas Wentworth General of his Majestys forces in the West Indies desireing his Excelencys favour in encouraging Capt. Winsloe in his recruiting for his Majesties service which Letter was this day Presented to his Excelency by the Sec^{y}.

His Excelency was pleased to lay a copy of his 10th & 11th Instructions relateing to Councilors on the Board which were read & ordered to be Entred on the Council book and are as follows: viz.

Governor Wentworth's 10th and 11th Instructions.

10th—you are to signify his Majesties Pleasure unto the s^{d} Council That if any of them shall hereafter absent themselves from the s^{d} Province and continue absent above the space of twelve months together without leave from you or from the Comander in chief of the s^{d} Province for the time being first obtained under your or his hand & seal or shall remain absent for the space of two years successively without his Majestys leave given them under his royal Signature, their Place or Places in the s^{d} Council shall Imediately there- [p. 9.] upon become void and that his Majesty will forthwith appoint others in their room.

11th—And whereas his Majesty is sensible that effectual care ought to be taken to oblidge the members of the s^{d} Council to a due attendance therein in order to prevent the many inconveniences that may happen for want of a Quorum of the Council to transact business as occasion may require, It is his Majesties Will & Pleasure that if any of the members of the s^{d} Council residing in the Province shall hereafter willfully absent themselves when Duely sumoned without a full & Law'full cause & shall persist therein after admonition, you suspend the s^{d} Councillors so absenting themselves till his Majesties pleasure be known giveing his Majesty timely notice thereof, and his Majesty doth hereby will & require you that this his *royal* Royal Pleasure be signified to the several members of the Council afores^{d} & that it be Entred in the Council books of the s^{d} Province as a standing Rule.

(1) The Editor does not judge it advisable to *repeat* in the "Journal of the General Assembly," messages, speeches or other matters, which are already printed in the "Journal of the House," but will refer the reader to the page where they may be found.—Ed.

A message to the Board by Mr. Packer with a vote of the House for a Comittee of Audit which is concurr'd as follows, viz:

In the House of Representatives

Voted, That Messrs. Jotham Odiorne, Thomas Packer & George Walton be a Committee of this House to Joyne with such as the Honble the Council shall appoint to audit all such acc^ts as shall be bro't in this sessions and also to tell over all moneys to be bro't in to be burnt this sessions and to Return of their doings thereon. [P. 10.] Jany 15 1741-2.

James Jaffrey, Cler. Assem.

In Council, Eodem Die.

Read & Concurred & Joshua Pierce, Theodore Atkinson & Richd Wibird Esqs. are appointed to joyn in the services above.

Richd Waldron, Sec^y.

Same day assented to. B. WENTWORTH.

A Petition for a new Parish in the Northerly part of Exeter read at the Board and sent down by Richd Wibird, Esq.

Adjourned til tomorrow 10 o'clock, A. M.

At a General Assembly held at Portsm^o according to adjournment, Saturday, Jany 16th 1741—

Present in Council, viz:

Henry Sherburne Richd Waldron Josh^a Peirce Joseph Sherburne	Esqs.	Ellis Huske Theod. Atkinson Richd Wibird	Esqs.

A message from the House by Messrs. Roby & Jennes with the Petition for a Parish in the north Part of Exeter & the vote thereon.

Adjourn'd till Monday next at 3 o'clock P. M.

[P. 11.] Jany 18th 1741—Met according to adjournment.

Present in Council—as before: also
Jotham Odiorne, Esq.

There not being a Quorum of the House the Council is adjourn'd till to-morrow 10 o'clock A. M.

Tuesday Jany 19th 1741—Met according to adjournment.

Present in Council as Entered yesterday.

Nothing laying before the Board the Council is adjourn'd till to-morrow 10 o'clock A. M.

Jan 20 1741—[Met and again adjourned till Thursday.]

[P. 12.] At a Council & General Assembly held at Portsm° by adjournm^t Thursday Jany 21 1741.

Present in Council,

His Excellency Benning Wentworth Esq. Govr.

Jotham Odiorne	Esqs.	Ellis Huske	Esqs.
Henry Sherburne		Joseph Sherburne	
Richd Waldron		Theod. Atkinson	
Josh^a Peirce		Richd Wibird	

His Excellency laid before the Board his 85th & 86th Instruction which were read & Ordred to be Entered on the Council Book also a copy of a Plan returned by his Majesty's Commissioners for settling the boundarys between New Hampshire & the Mass^a Bay.

The Instructions are as follows, viz :

85th. Whereas Disputes & controversies have for many years subsisted between his Majesty's loving subjects of the Provinces of the Massachusetts Bay & New Hampshire in New England in regard to the Boundarys between the s^d Provinces, & whereas his Majesty was pleas'd by his order in Council Dated the 22^d Jany 1735 to Direct that commissioners should be appointed to mark out the Dividing Line between the s^d Provinces and alsoe by his Majesty's order in Council of the 9th Feby 1736 to Direct that a commission should be prepared & passed under the Great Seal (which s^d commission was accordingly issued out) for authorizing such commissioners to meet within a limited Time to mark out the Dividing Line between the s^d Provinces with Liberty to either Party who should think themselves aggrieved by the Determination of the s^d commissioners to appeal thereupon to his Majesty in [P. 13.] Council which s^d commissioners did make their Report in the following words:

"In Pursuance of his Majesties afores^d commission the Court took under "consideration the Evidences Pleas & allegations offered & made by each "Party referring to the controversy Depending between y^m and upon mature "advisement on the whole a Doubt arose in Point of Law and the Court "thereupon came to the following Resolution viz. That if the Charter of "King William & Queen Mary Dated Octo^r the 7th in the third year of their "reigne grants to the Province of the Massachusetts Bay all the Lands which "were granted by the Charter of King Charles the first dated March the "fourth in the fourth year of his reigne to the late Colony of the Mass^a Bay "lying to the northward of Merrimack river, then the Court adjudged & De-"termined That a line shall run Paralell with the s^d river at the Distance of "Three English miles north from the mouth of the s^d river beginning at the "southerly side of the Black Rocks so called at low water mark and from "thence to run to the crotch or Parting of the s^d River where the rivers of "Pemidgwasset & Winipisseokee meet & from thence Due North Three En-"glish miles & from thence Due West towards the south sea until it meets "with his Majesties other Governments which shall be the Boundary or Divi-"ding Line between the s^d Province of the Mass^a Bay & New Hampshire on "that side,—but if otherwise then the Court adjudge & Determine that a "Line on the southerly side of New Hampshire beginning at the Distance of "three English miles north from the southerly side of the Black Rocks afores^d "at Low water mark & from thence running due West up into the main "Land towards the south sea until it meets with his Majesties other Govern-

"[P. 14.] m^ts shall be ye boundary line between the s^d Provinces on the side "afores^d which point in Doubt with the Court as afores^d they humbly submit "to the wise consideration of his most sacred majesty in his Privy Council to "be Determined according to his royal will & Pleasure therein,—and as to "the northern Boundary between the s^d Provinces the Court resolves & "Determines that the Divideing Line shall pass up thro' the mouth of Pis-"cataqua Harbour & up the midle of the river into the river of Newhichwan-"nick (part of which is now called Salmon Falls) & thro' the middle of the "same to the furthest head thereof, and from thence North Two Degrees "Westerly until one hundred & Twenty miles be finished from the mouth of "Piscataqua Harbour afores^d or until it meets with his Majesties other Gov-"ernments and that the Dividing Line shall part the Isle Sholes & run thro' "the midle of the Harbour between the Islands to the Sea on the southerly "side and that the southwesterly part of the said Islands shall Lye in & be ac-"counted Part of the Province of New Hampshire & that the northeasterly "part thereof shall Lye in & be accounted part of the Province of the Mass^a "Bay & be held & Enjoy'd by the s^d Provinces respectively in the same "maner as they now do & have heretofore held & Enjoy'd the same,—and "the Court do further adjudge that the cost & charge arising by taking out "the commission as alsoe of the commisioners & their officers, viz. the two "Clerks Surveyor & waiter for their travelling Expences and attendance in "the Execution of the same be Equally born by he s^d Provinces.

[P. 15.] "And whereas appeals from the Determination of the s^d Com-"missioners have been laid before his Majesty by the agents for the respec-"tive Provinces of the Massachusetts Bay & New Hampshire, which s^d Ap-"peals have been heard before the Committee of Council for hearing appeals "from the Plantations who after having considered the whole matter and "heard all parties concern'd therein did report unto his Majesty as their "opinion That the northern Boundary of the s^d Province of the Mass^a Bay "are & be a similar curve line pursuing the course of Merrimack River at "three miles Distance on the north side thereof beginning at the Atlantick "Ocean and ending at a Point due north of a Place (in a Plan returned by "the s^d commissioners) called Pawtucket falls and a strait Line Drawn from "thence Due West cross the s^d River till it meets with his Majesties other "Governm^ts" and that the rest of the commissioners s^d Report be affirmed by his Majesty which s^d Report of the s^d committee of Council his Majesty hath been Pleased with the advise of his Privy Council to approve and to declare adjudge and order That the northern Boundarys of the s^d Province of the Massachusetts Bay are & be a similar curve line pursuing the course of Merrimack at three miles distance on the north side thereof, beginning at the Atlantick Ocean & ending at a Point Due north of a Place in the Plan returned by the s^d commissioners called Pawtucket falls and a strait line drawn from thence due west cross s^d river till it meets with his Majesties other Governments, and to affirm the rest of the commissioners s^d Report or Determination wh ereof the Governor or Comander in chieff of his Majesties said Provinces for the time being as alsoe his Majesties respec-[P. 16.] tive Councils and Assemblys thereof and all others whom it may concern, are to take notice.

It is therefore his Majesties Will & Pleasure and you are hereby required and Enjoyned under pain of his Majesties highest displeasure and of being removed from your Government to take especial care that his Majesties comands in this behalf be Executed in the most effectual & Expeditious manner to the End that his Majesties good intentions for promoting the Peace & Quiet of the s^d Provinces may not be frustrated or Delayed and you are likewise hereby Directed to communicate this Information to the Council and Assembly of his Majesties s^d Province of New Hampshire and to cause the same to be Entered in the Council book thereof.

And for your further Information herein an authenticated copy of the Plan returned by the s^d comissioners is hereunto annexed.

[Gov. Wentworths's 86th Instruction.]

86th. And you are upon all occasions to send unto his Majesties Principal

Secretarys of State & to his commissioners for Trade & Plantations a Particular acco^t of your Proceedings and of the condition of affairs within your Governm^t.

His Majesties Council this Day took the oath as Prescrib'd by the Law of the Province & Incerted in the Printed Law book.

A message to the Assembly from his Excellency by Jotham Odiorne Esq. with a Duplycate of the above mentioned Instructions and Plan to be lodged with them.

A message from his Excellency to the House by Ellis Huske Esq. with General Wentworth's Letter and a written message [p. 17.] thereon, who returned that he had Delivered the Letter & message.

Samuel Smith & John Downing Esqs. were this day admitted members of his Majesties Council by his Excellency the Govr they having first taken the oaths appointed to be taken instead of the oaths of allegiance & Supremacy, the office oaths & the several oaths as Entered the 14th inst.

A Petition for a third Parish in Londonderry read & send down by Coll. Sherburne.

A message from the Assembly by Mr. Parker with a vote of the House for a Committee of Audit on the Acct^s relating to the Boundary lines as follows:

In the House of Representatives Jany 21 1741—

Voted That all those charges and Expences relating to the Dispute about the affairs of the Lines and of Mr. Agent Thomlinson in Great Britain be now bro't in to be audited.

James Jeffrey, clerk. assem.

In Council Eodem Die

Read & Concurred— R. Waldron, Sec^y.

Same day assented to B. Wentworth.

A message to the assembly by Capt Wibird with the Petition of Jabez Smith for Establishing a Tavern House at Hampton Falls.

Adjourned till tomorrow morning 10 o'clock, a. m.

[p. 18.] At a General Assembly held at Portsmouth Fryday Jany 22^d 1741—by adjournment.

Present in Council.

Jotham Odiorne	Esqs.	Joseph Sherburne	Esqs.
Henry Sherburne		Theod. Atkinson	
Richd Waldron		Richd Wibird	
Joseph Peirce		Sam'l Smith	
Ellis Huske		Jno. Downing	

Nothing lying before the Board the Council is adjourn'd till tomorrow 10 o'clock a. m.

This day the House made answer to his Exce^{ys} speech [which see in "Journal of the House," p. 138.]

At a General Assembly held at Portsmouth by adjournm^{t} on Saturday Jany 23^{d} 1741.

Present in Council—[as before, except Joshua Peirce and Jno. Downing, Esqs.]

A message from the Assembly by Mr. Kenney with a Petition for a third Parish in Londonderry.

Adjourned till Tuesday morning 10 o'clock A. M.

Jany 26th 1741—Met according to adjournm^{t} and again adjourned till tomorrow 10 o'clock A. M.

[P. 19.] At a General Assembly held at Portsmouth by adjournm^{t} Wednesday Jany 27th 1741.

Present in Council,

His Excelency Benning Wentworth, Esq, Governour.

Jotham Odiorne Richd Waldron Joseph Sherburne Ellis Huske	Esqs.	Theo. Atkinson Richd Wibird Saml Smith John Downing	Esqs.

A Petition of James Tuttle for altering a Highway thro' his Land read & send down by Joseph Sherburne Esq.

A Petition of Mathew Taylor & others for Dividing a Tract of Land with a minor sent up from the House by Ebenez^{r} Stevens Esquire.

Adjourned till to-morrow 10 o'clock A. M.

At a General Assembly held at Portsmouth by adjournment on Thursday Jany 28th 1741.

Present in Council—[as before, also Henry Sherburne, Esq.]

A message from his Excelency by Capt. Wibird to Inquire if any thing would come from the House, who returned that he had Don his Message & that the House had nothing ready to send up. Adjourn'd till to-morrow 10 o'clock A. M.

[P. 20.] Jany 29th 1741 Met. Nothing coming up from the House the House adjourned till to-morrow 10 o'clock A. M.

Jany 30th 1741. Met. Present in Council [as before.]

A message to the board by Mr. Stevens with a vote for a Committee to Project a method for incorporating the new Acquisitions.

Adjourned to Monday next 3 o'clock P. M.

Feby 1st 1741. Met and adjourned till to-morrow 10 o'clock A. M.

[P. 21.] Feby 2^{d} 1741. Met. Nothing lying before the board the Council adjourn'd till to-morrow 10 o'clock A. M.

At a General Assembly held at Portsmouth by adjournment on Wednesday Feby 3^{d} 1741.

Present in Council

His Excelency Benning Wentworth, Esq. Govr.

Jotham Odiorne Richd Waldron Henry Sherburne Joseph Sherburne	Esqs.	Ellis Huske Theod. Atkinson Saml Smith John Downing	Esqs.

A message to the House by Mr. Atkinson with their vote for appointing a Comittee to agree upon a method for Taxing those Polls & Estates not heretofore taxed — not acted upon — alsoe with a vote of Council for a comittee to Prepare a Bill for Taxing the Polls & Estates above mentioned, as follows viz:

In Council Feby 3^{d} 1741.

Voted That Joseph Sherburne, Theodore Atkinson & Saml Smith Esq. be a Comittee from the Council to joyne with such as shall be chosen by the House of Representatives to Prepare a [P. 22.] Bill for bringing the Polls & Estates into a Province Tax which fall within this Province by his Majestys late settlement of the Province Line, & which have not been as yet taxed within this Province.

Richd Waldron, Sec^{y}.

Eodem Die. In the House of Representatives.

The above vote read & concurred & voted that Messrs. James

Clarkson Sam[l] Gillman & Hunking Wentworth be a Comittee of this House to joyne the above Comittee for the End aboves[d].

James Jaffrey Cler. Assem.

Same day assented to.

B. Wentworth.

The above vote bro't up from the House by Mr. Thompson.

A message from the House by Mr. Packer with a Petition for a new Parish in Exeter with & votes thereon for leave to bring in a Bill.

A message from the House by Mr. Gage desiring that the Sec[y] may be ordred to give a List of Days of the Council's sitting to the Assembly.

Adjourn'd till tomorrow 10 o'clock A. M.

At a general assembly held at Portsm[o] by adjournm[t] on Thursday Feb[y] 4th 1741 His Excelleney Benning Wentworth, Esq. Govern[r]

Jotham Odiorne Rich[d] Waldron Jos Sherburne	Esqs.	Ellis Huske Theod. Atkinson Rich[d] Wibird Jno. Downing	Esqs.

[p. 23.] A message to the Board by Capt. Gage with Mr. Tuttle's Petition about the Exchange of an highway.

A message from his Excellency to the Assembly by Capt. Wibird to Inquire weither they had anything to Lay before the Board—who returned they had nothing.

Adjourned 'till tomorrow 10 o'clock A. M.

Feb[y] 5th 1741—Met. Present in Council.

Jotham Odiorne Henry Sherburne Rich[d] Waldron Joseph Sherburne	Esqs.	Ellis Huske Theod Atkinson Rich[d] Wibird Jno. Downing	Esqs.

A message to the Board by Mr. Towle with Vote of the House for Bringing in a Bill for a third Parish in Londonderry.

A message to the Board by Capt. Roby with a Petition of Rich[d] Hilton and a vote thereon.

Adjourn'd till tomorrow 10 o'clock A. M.

Feb[y] 6th 1741—Present in Council [as above.]

A message to the House by Mr. Atkinson to Enquire weither

any thing was likely to come up to the board this morning—who returned they had not.

Adjourned till Tuesday next 10 o'clock A. M.

[P. 24.] Feby 9th 1741—Met. Nothing lying before the board. Adjourned till tomorrow morning 10 o'clock.

At a General Assembly held at Portsm^{o} by adjournment on Wednesday Feby 10th 1741.

Present in Council

His Excellency Benning Wentworth, Esq. Govern^{r}

Jotham Odiorne Henry Sherburne Richd Waldron Ellis Huske	Esqs.	Theod. Atkinson Richd Wibird Jno. Downing	Esqs.

The vote of the Assembly for allowing the Petitioners (for a 3^{d} Parish in Londonderry) Leave to bring in a bill & read & passed.

Capt. Hilton's Petition & vote thereon read & send down to the Assembly by Capt. Huske for an amendment.

A message from the House by Maj^{r} Gilman with Two Bills viz. one for a third Parish in Exeter & one for a third Parish in Londonderry.

A message from the House by Mr. Stevens with Capt. Hilton's Petition and the vote thereon amended.

Adjourn'd till tomorrow 10 o'clock A. M.

[P. 25.] At a Council & General Assembly held at Portsm^{o} by adjournment on Thursday Feby 11th 1741—

Present in Council [as before.]

A message from the House by Saml Gilman Esq. with a vote for paying the Prov. Tax in Mass^{a} money.

A Petition of Thomas Merril & others read praying for a Township to be incorporated out of those partes of Salisbury and Almsbury which fall within this Province as pr bounds mentioned in s^{d} Petition.

Voted That the Prayer of the Petition be granted not *not* to infringe on Kingston or any former Grant made by this Governm^{t}.

A message to the Board by Mr. Thompson with a vote for a new Proportion Sent back by Mr. Atkinson to be reconsidered & bro't up amended by Mr. Stevens.

Adjourn'd till to morrow 10 o'clock A. M.

Feb. 12th 1741. Met—Present in Council [as before.]

[P. 26.] A message to his Excelency from the House by Messrs Packer & Walton desireing the accts of the repairs of the Fort.

A message from his Excelency to the House by Ellis Huske, Esq. to Inform them that one of the Comittee was ill & that as soon as the accts should be laid before the board it should be sent to the Assembly.

A Bill for a third Parish in Londonderry by the name of Windham Passed & signed.

Adjourn'd till to morrow 10 o'clock, A. M.

At a General Assembly held at Portsmouth by adjournmt on Saturday Feby 13th 1741 —

Present in Council,

His Excelency Benning Wentworth, Esq. Govr.

George Jaffrey Jotham Odiorne Henry Sherburne Richd Waldron Joshua Peirce	Esqs.	Ellis Husk Theod. Atkinson Richd Wibird John Downing	Esqs.

A message from the House by Mr. Walton with James Tuttle's Bill read.

A message from the House by Messrs Packer & Stevens with several accts Mrs. Rindge's acct allowed & Hampton Comittees accts alsoe allowed. The rest of the sd accounts returned to the House by Mr. Atkinson to be reconsidered.

A Petition from the Proprietors of Rochester praying to be enabled to assess themselves by an act read & sent down by John Downing, Esq.

Adjourn'd till Monday next 3 o'clock P. M.

[P. 27.] Feby 15th 1741—Met according to adjournment.

Adjourned till Wednesday next 10 o'clock.

Feb. 17th 1741—Met and adjourned till to morrow 10 o'clock A. M.

Feby 18th 1741 — Met according to adjournm^{t}.

Present in Council,

His Excelency Benning Wentworth, Esq. Governour

George Jaffrey Jotham Odiorne Henry Sherburne Richd Waldron Ellis Huske	Esqs.	Joseph Sherburne Theod. Atkinson Richd Wibird John Downing	Esqs.

A message from the House by Mr. Packer with Sund^{y} votes for allowances.

A message from the House by Capt. Wallingford with sundry more allowances.

[p. 28.] Some of the votes of allowance sent back to the House by Messrs Atkinson & Wibird for a further consideration.

The Petitions from some Salisbury & Almsbury men read relateing to a Township.

Adjourned till to morrow 10 o'clock A. M.

At a General Assembly held at Portsm^{o} by adjournm^{t} on Fryday Feby 19th 1741 —

Present in Council — [as before.]

A message from the House with Mr. Hiltons Petition & Rochester Petition & the votes thereon by Mr. Thompson.

Capt. Hiltons Petition heard by Council.

Rochester Petition read & the vote of the House thereon read & nonconcurred.

A message for the House with the Treasurers Accounts & vote of the House thereon bro't up by Messrs Jennes & Roby.

A message to the board by Mr. Stevens with a vote of the House for a recorder.

Adjourned til to morrow 10 o'clock A. M.

At a General Assembly held at Portsmouth by adjournment on Saturday Feby 20th 1741 —

[p. 29.] Present in Council [as before.]

A message to the Assembly by Capt. Wibird with the Assemblys vote of allowance to the Governour & a message from his Excelency thereon.

Mr. Stanions Petition to Dock an Intail read & sent down by Capt. Downing.

The same Petition bro't back from the House by Mr. Jennes with a vote thereon which alsoe Passed in Council.

A message to the House with Rochester Petition by Mr. Atkinson & a vote of Council thereon.

Adjourned till Tuesday next 10 o'clock A. M.

At a Council & General Assembly held at Portsm° by adjournm^t on Tuesday Feby 23^d 1741 —

Present in Council [as before.]

A message to the board by Mr. Packer with Two votes of allowance to George Jaffrey Esq. & Thomas Noble.

A message from his Excelency to the House by Messrs Huske & Atkinson to read one of the Governours Instructions to them & return it to his Excelency.

[P. 30.] A message from the House by Capt. Robies with a vote on the Rochester Petition.

The vote of the House for a new Parish in Exeter Passed in Council.

The Vote of the House for the choice of a Recorder pass'd in Council.

A vote of allowance made by the House to John Barker of Boston for searching after Counterfeit Bills of this Province read & return'd to the House for an amendment by George Jaffrey Esq.

James Tuttles Bill to Exchange a highway read a 3^d time & pass'd in Council.

The acc^ts of the Comittees Expence for the reception of Governour Wentworth Passed.

Adjourned till to morrow 10 o'clock A. M.

At a General Assembly held at Portsm° by adjournment on Wednesday Feby 24th 1741 —

Present in Council—[as before.]

A message to the House by Joseph Sherburne Esq. with John Shackford's Petition about a highway.

[P. 31.] A message from the House by Samuel Gilman who bro't up the following votes viz.

An allowance to John Barker of Boston for Detecting Counterfeit Bills & Plate on this Province.

An allowance to Messrs Odiorne and Sherburne a Committee for taking acc^t of the stores at Fort Wm & Mary.

And alsoe a vote of Dismission on Jabez Smith Petition for a Tavern &c.

And alsoe John Shackford's Petition & vote of the house thereon.

A message to the Board by Messrs Saml Gillman & James

Clarkson Esq. with a Bill for Incorporating the People who have not been formerly Taxed to this Governmen^{t}.

Adjourn'd till to morrow 10 o'clock A. M.

At a General Assembly held at Portsmouth by adjournment on Thursday the 25th of Feby 1741—

Present in Council—[as before.]

A message to the Board by Mr. Stevens with a vote of allowance to Mr. Whipple for horses sent when the Govr & Council sot at Hampton.

A message from his Excellency to the Assembly to read to them one of his Instructions & to bring it back with them.

[P. 32.] A Petition of Thomas Young & Samuel Adams agents for the Town of Canterbury Praying an act might be made to enable the Proprietors of s^{d} Town to assess themselves &c. read and sent down by Joseph Sherburne Esq.

A Petition of Saml Barr praying that the Bounds of Londonderry might be renewed read.

A Petition of Samuel Hale for a Township read.

Adjourned till tomorrow 10 o'clock A. M.

At a General Assembly held at Portsm^{o} by adjournm^{t} on Fryd. the 26th Feby 1741—

Present in Council

His Excelency Benning Wentworth Esq. Govern^{r}

George Jaffrey Jotham Odiorne Henry Sherburne Richd Waldron	Esqs.	Joseph Sherburne Theod Atkinson John Downing.	Esqs.

A message to the Board by Mr. Stevens with the Canterbury Petition Referr'd by Thomas Young & Saml Adams & vote of the House thereon.

And alsoe an allowance to William Ayres for going Express.

And alsoe a vote of the House to sell the Land taken in Execution off Col. Vaughans Estate at the suit of the Province which last vote was sent back to the House by George Jaffrey Esq. for an amendment

Adjourned till tomorrow 10 o'clock.

[P. 33.] Feby 27th 1741—Met according to adjournment.

Present in Council [as before, also]

Ellis Huske & Richd Wibird, Esqs.

A message to the Board by Samuel Gillman Esq. with a vote of the House for sumoning Maul Hanson & others.

Adjourned till Tuesday next 10 o'clock.

March the 2d—met according to adjournment—and there not being a Quorum of the House,

Adjourned till Monday next 10 o'clock A. M.

At a General Assembly held at Portsmo by adjournment Thursday March the 4th 1741—

Present in Council

His Excellency Benning Wentworth Esq. Governr

[P. 34.]

George Jaffrey	Esqs.	Ellis Huske	Esqs.
Jotham Odiorne		Theod Atkinson	
Henry Sherburne		Richd Wibird	
Richd Waldron		Saml Smith	
Joseph Sherburne		John Downing	

A Petition of Capt George Walker for docking an Intail read and send down by Mr. Atkinson.

A message from the House by Majr Gillman with Rocher Bill to Tax the Proprietors.

And alsoe a bill for taxing the Borderers on the Province line.

A message to the Board by Mr. Gilman with Capt. Walkers Petition and vote thereon.

Adjourned till tomorrow 10 o'clock.

March 5th 1741—Met according to adjournment.

Present in Council [as before.]

A Petition of John Blunt (1) Clerk for an allowance of £24 per Annum read and send down by Mr. Odiorne.

A Petition of Messrs. Wright & Jackson in favor of the Proprietors of Barrington Praying to be enabled to assess themselves read and send down by Jotham Odiorne, Esq.

[P. 35.] The Petition of Capt. Walker with the vote of the House thereon send to the House by Mr. Atkinson for amendment.

(1) Rev. John Blunt was minister of New Castle.—Ed.

The s^d Petition bro't back amended by Mr. James Jeffry.
A Bill in favor of Rochester Proprietors read & Passed.
Adjourned till tomorrow 10 o'clock A. M.

March 6th 1741—Met according to adjournment.

Present in Council—[as before.]

A Petition of Maul Hanson & Jon^a Hanson Praying to have an Intail Docked read & send down by Capt. Wibird.

The Petition of George Walker read & Mr. Vaughan appeared & moved for a longer time to be heard & Capt Walker was served with a Copy of his Excellencys Instruction requiring notifications to be posted up in the Towns were Land lay before any Private act could pass thereon.

A messsage to the Board with Mr. Blunts Petition by Capt Wallingford.

[P. 36.] A Message to the Board by Messrs Packer & Stevens with Two papers which his Excellency received.

A message from the House by one of the members with a vote to Duble the Excise.

Adjourned till Tuesday next at 10 o'clock A. M.

March 9th 1741—Met according to adjournment.

Present in Council—[as before.]

A message to the Assembly with John Shackfords Petition about a highway by Capt Downing.

A written message to the Assembly from his Excellency by Capt. Huske.

A Petition of Mr Wm. Vaughan praying for an allowance for his father's service read & send Down to the House by Jos. Sherburne Esq.

A Petition of the Inhabitants of Gospert Praying to be Exempt from Prov^e Tax read & sent down to the House by Mr. Smith.

Canterbury Petition & vote of the House thereon—Read & concurr'd at the Board.

Adjourned till tomorrow 10 o'clock A. M.

[P. 37.] March 10th 1741—Met according to adjournment.

Present in Council [as before, also]

Josh^a Peirce Esq.

A message to the Board by Mr. Thompson with John Shackford's Petition & votes of the House thereon which being read

was nonconcurrd at the Board & a Vote of Council made on it & send Down to the House by Henry Sherburne Esq.

A message to the board by Mr. James Jeffrey with Mr. William Vaughan Petition voted to be heard thereon tomorrow.

A Petition of Elisha Plaisted Praying for a special Act to amend an uncertain returne of an Execution Levyed on Coll Vaughans Estate for a Debt Due to Coll John Plaisted.

A message to the Assembly by the Secry with Mr. Blunt's Petition.

Adjourned till tomorrow 10 o'clock A. M.

March 11th 1741—Met according to adjournment.

Present in Council [as before.]

[P. 38.] Mr. Blunt's Petition bro't back to the Board and the vote of Assembly thereon for a hearing concurrd by the Council.

The vote of the House on Mr. Vaughans Petition read & concurrd & both Petitions sent down to the House by Mr Smith.

A Petition of Saml Graves praying for a Tract of land or other allowance for his great Expence & Imprisonment occasioned by the Controversy between the Provinces read & send Down by Mr. Smith.

A message to the Board by Mr. Stevens with Elisha Plaisted's Petition & vote of the House thereon.

A message to the House by Capt. Downing with a Bill for making sundry new Districts & Taxing the Polls & Estates within the same.

Adjourned till tomorrow 10 o'clock A. M.

March 12th 1741—Met according to adjournment.

Present in Council [as before.]

[P. 39.] A message to the Board by Mr. Thompson with a vote of the House for a Comittee to call a meeting in the several new Districts.

A message to the Board by Mr. Israel Gillman with Barrington Petition & vote of the House thereon.

Mr. Parker admitted & heard on making a motion in behalf of Mr. Taylor & other Petitioners for Dividing a Lot of Land in Londonderry with a minor.

Adjourned till tomorrow 10 o'clock A. M.

March 13th 1741—Met according to adjournment.

Present in Council,

George Jaffrey	Esqs.	Ellis Huske	Esqs.
Jo^m Odiorne		Theod Atkinson	
Hen. Sherburne		Richd Wibird	
Richd Waldron		Saml Smith	
Jos. Sherburne		John Downing	

A message to the board by Mr. Todd with the Petition of Mr. Taylor & others & the votes of the House thereon which was read & the Board concurred.

A message to the Board by Mr. Wallingford with Mr. Shackfords Petition & votes thereon which was concurr'd by the Council.

And alsoe a Bill for selling taken in Execution from the Estate of Coll Vaughan which was read at the Board.

Adjourn'd till monday next at three o'clock P. M.

[P. 40.] March 15th 1741— Met according to adjournment.

Present in Council [as before]

Mr. President Jaffrey Laid before the board Two votes of the House one Dated the 6th & the other the 13th Inst for granting to his Excelency the sum of two hundred & fifty Pounds pr annum out of the Excise & the sum of two hundred & fifty Pounds pr annum out of ye Interest of £25000 both equal to Proclamation money—To his Excelency—which votes were Laid upon the Table.

Adjourned till Wednesday 10 o'clock.

March 17th 1741— Met according to adjournment.

Present in Council [as before, except]

Henry Sherburne & Ellis Huske, Esqrs.

Voted in Council that a Publick Fast be observed throughout this Province the 8th day of April & that a Proclamation be Prepared & sent to the several Towns as usual.

A message to the board by Mr. Thompson with an allowance to the Sherriff for services Don read.

[P. 41.] A message to the board by Capt. Roby with an allowance to the Council & Assembly—read.

A message to the Board by Mr. Israel Gillman with a written message to know weither the acc^ts send up were passed at the Council board.

A Petition for a fourth Parish in Exeter read with a Town vote

thereon & alsoe a caveat agst the granting the s^{d} Petition. Send Down to the House by Richd Wibird Esq.

A message from the House by Mr. Stevens with a Bill for exchanging a road in Newington on the Petition of John Shackford read.

The vote on the Treasurers acc^{t} read & Debated & a vote made thereon as on file & Mr. Atkinson & Mr. Wibird sent to the Assembly to read the vote thereon & to Inform the House that the grants made to the Govr were under consideration.

A Petition of Salathiel Denbo Praying for a Pension for being wounded in the Warrs—read—& send down by Capt. Downing.

A message from the House by Maj^{r} Gillman with the Petition & other papers relateing to a fourth Parish in Exeter.

Adjourned till to morrow 10 o'clock.

At a General Assembly held at Portsmouth by adjournment on Thursday March 18th 1741—

Present in Council

George Jaffrey	Esqs.	Ellis Huske	Esqs.
Joth^{m} Odiorne		Josh^{a} Peirce	
Henry Sherburn		Theod Atkinson	
Richd Waldron		Richd Wibird	
Jos. Sherburne		Jno. Downing	
		Saml Smith	

[p. 42.] Mr. Taylors Petition for Dividing a Piece of Land in Londonderry with a minor—send down to the House by Capt. Downing.

A message from the House by Mr. Elkins with a Bill for Taxing the new Districts, read & concurred at the Board.

And alsoe Salathiel Denbow's Petition for a Pension & the vote of the House thereon.

The Bill for exchanging a highway in Newington read a third time and passed in Council.

The Bill to sell Land taken in Execution out of Coll. Vaughan's Estate read & passed by the Council.

A message to the Board by Mr. Jennes with the Petition of Mr. Taylor for dividing a piece of Land at Londonderry with a minor —the parties being heard thereon it was non-concurred.

The vote of Assembly for granting to members of Council 12*s* pr day to the representatives 10*s* pr day being read & debated on & sent down by Mr. Atkinson to be reconsidered.

A message to the Board by Capt. Gage with Bill enabling the Proprietors of Canterbury to assess themselves read the first time.

Adjourned till 3 o'clock p. m.

P. M. Met according to adjournment.

Present in Council — His Exc^y Benning Wentworth Esq. Govr.

[The others as above, except Josh^a Peirce.]

[p. 43.] His Excelency was Pleased to appoint the Honble George Jaffrey & Henry Sherburne Esq. to administer the oaths to Theodore Atkinson Esq. his Excelency having appointed him Secretary of the Province which was accordingly Done & subscribed and alsoe the Oath of Office.

His Excelency Directed the Secretary to make a minnit in the Council Books that he did by virtue of the Power and authority reposed in him by his Majesty's Commission & Instruction suspend the Honble Richd Waldron Esq. from sitting, voteing or assisting as one of his Maj^tys Council for his Maj^tys Province (1).

A message to the board by Messrs. Clarkson & Gillman, viz: That the message to the House by Mr. Atkinson relating to the Councils & Assemblys allowance together with the vote thereon is under consideration of the House and also to Inquire weither the Council have passed upon the votes relating to his Excelency's salary.

A message to the House by the Sec^y to acquaint the House their votes relating to the Govr Sallary were concurred at the board. Vide votes at ye end of ye sessions.

Adjourned till tomorrow 10 o'clock A. M.

At a Council & General Assembly held at Portsm^o by adjournm^t Saturday March 19th 1741 —

Present in Council [as before, except]

His Exc^y Govr Wentwort h.

[p. 44.] A message to the board by Capt Robie with a vote of the House for settling an allowance of £50 pr annum on the Province Treasurer for the future.

A Petition of Robert Boyce Esq. administrator to the Estate of Mr. Thomas Thompson, Clerk, deceased Praying liberty to sell a piece of Land — read — & sent down to the House.

A Petition signed Abigail Bryard widow Praying that an act may be made to Enable the Grand Comittee for bring in to the Treasury the £15000 Loan to pay her one third part of the overplus money that her late husband's estate sold for — read — & sent down.

A message to the board by Mr. Packer with a vote of allowance of $25 to Theodore Atkinson Esq. for service Don (see End

(1) The removal of Col. Waldron from office is understood to have been on account of his attachment to the interests of Gov. Belcher and his opposition to Wentworth.—Ed.

of the session) and alsoe Mrs. Bryards Petition & vote of the House thereon.

Adjourned till to morrow morning.

March 20th 1741 — Met according to adjournment.

Present in Council [as before, except Josha Pierce Esq.]

A message by Majr Gillman with a vote of the House for the appointing a Comittee to Draw several acts.

A message by Majr Gillman to desire the House may have the [p. 45.] memorial of the Judges of the Superiour Court for sundry Expences & the vote of the House thereon — which was sent Down to the House by Mr. Wibird.

Adjourned till Monday next 3 o'clock p. m.

At a Council & General Assembly held at Portsmo by adjournmt Monday March 22d 1741.

Present in Council [as before, except Saml Smith Esq.]

A message to the House by the Secy to aske if they had any thing to Lay before the board who returned for answer that there was not a Quorum of the House then met.

Adjourned till to morrow 10 o'clock.

March ye 23d 1741 — Met according to adjournment.

Present in Council [as before, also]
Josha Peirce & Saml Smith Esqs.

A message by Mr. Clarkson from the House to Enquire weither the board had acted upon the severall votes of the House, viz.

Vote for the Treasurer's allowance of £50 per annum.

[p. 46.] Vote for Mr. Atkinsons allowance of £25.

Vote for an allowance for Salathiel Denbows Pension.

Vote to enable the several Constables of the Province to receive their Prov. Tax in Massa money.

Capt. Walkers Petition & votes thereon for Docking an Intail.

And alsoe bro't up a vote of the House for putting the Records of the Commissioners Court on the affairs of the Province Boundarys into the Clerk of the Assemblys office.

And alsoe a vote for the payment of the money agreed on by the House to Mr. Blunt.

Alsoe a vote for the appointing a Comittee to value and apprize any species that should be bro't into the Treasury.

A message fro the board by Mr. Wibird & the Secretary in answer to the Houses message by Mr. Clarkson to acquaint the House —

That their vote for an allowance to Mr. Atkinson was allowed by the board,

As alsoe the vote for the Treasurers annual allowance.

The other things mentioned in the s^d message were now under consideration.

A message by Capt. Downing to the House with the Houses vote for moveing ye Records of the Commissioners Court & to desire the House to reconsider the s^d vote for reasons assigned.

A message by Capt. Downing to inquire if the House had any thing before them that would be ready to send up this evening — who returned that the House was Preparing a vote which would be soon sent up.

Mr. Packer from the House Capt. Walkers Petition and vote thereon.

Alsoe an act in favour of Mr. Bryard, read.

Alsoe a Bill in favour of Martha Taylor, read.

[p. 47.] And alsoe a vote for Putting the records of the Comiss^rs Court into the recorders office.

Mr. Packer with a message to the board, viz.

The House desires to withdraw their vote of this day for appointing a Comittee to sign the Paper Bills.

A message to the House with the above mentioned vote by Mr. Smith.

Mr. Wentworth with a message from the House Bro't up a vote for the choice of a Comittee to signe the paper currency,— and alsoe

A vote for an allowance to the members of the Council and Assemblys allowance while sitting in General Assembly.

Adjourned till to morrow morn 10 oclock.

March 24th 1741 — Met according to adjournment.

Present in Council [as before]

A message to the board by Mr. Packer to Inquire weither the board had acted on the vote of the House enabling the Constables to pay Prov. Tax in other Province Bills — and alsoe Bro't up

A vote appointing a Comittee to receive the old Plates made use of for making money of the Comittee & to bring them into the Assembly to be defaced.

[p. 48.] Mr Packer alsoe bro't up a vote of the House for appointing a Comittee to settle acc^ts with the Province of the Mass^s Bay in the affairs of the Boundary Lines.

A message to the board by Mr. Gage with a bill to Dock an In-

tail of a Piece of Land in Dover in possession of Maul and Jon^a Hanson.

Mr. Gillman Bro't up a vote of the House Enabling the Constables to pay Province Tax for this year in Mass^a money of the new Tennor.

A Bill for Enabling the Comittee for receiving the £15000 Loan to pay to the widow Bryard her thirds of the surplusage of what her Deceased Husbands Estate sold for being read a third time passed at the Council.

A Bill to Dock an Intail of a peice of land in Dover in Possession of Maul & Jon^a Hanson was read a third time & passed in Council.

Adjourned till to morrow morn ten o'clock.

March 25th 1742 — Met according to adjournment.

Present in Council [as before.]

Mr. Jennes Bro't up the Vote of the House for Proportioning Rochester, Barrington, Chester & Nottingham to a Province Tax.

[p. 49.] A vote of the House for granting to his Excelency the sum of one hundred pounds for providing his Excelency with a house this year.

Adjourned till to morrow 10 o'clock.

March 26th 1742—Met according to adjournment.

Present in Council [as before]

A message to the board by Mr. Clarkson to Inquire weither the board had passed upon the votes of the House, viz.

A vote to Enable the Constables to pay & receive Mass^a money for Prov. Tax this year.

A vote of the House relating to Mr. Blunts Petition.

A vote for the choice of Comittee for signing the Paper Currency.

A message by the Secretary to acquaint the House That the Council had concurred their vote for paying the Province Tax this year in Mass^a money & also carryed down the vote in favour of Mr. Blunt for an amendment.

A message by Mr. Wibird to the House with Mr. Plasted's Petition to rectify a Survey of Land for the House to reconsider their vote thereon.

[p. 50.] Mr. Packer with a message from the House Bro't up a vote for the choice of John Thomlinson, Esq., to be agent at the Court of Great Brittain for this Prov^e.

A message from the House by Mr. Clarkson to Inquire weither

the vote of the House for Councils & Assemblys allowance for the Time spent in General Assembly was concurred by the Council & assented to by his Excellency.

A Bill for the Payment of Mr. Blunt the sum of £200 out of the Treasury bro't up by Mr. Samuel Gillman.

Mr. James Jaffrey Bro't up a Petition of Mr. Elisha Plaisted to rectify a mistake in the return of an Execution which was amend^d in the House agreeable to the Boards recommendation.

Mr. Gillman Bro't up Capt. Walker's Petition & Vote of the House thereon — which was read &

The *Council* adjourned till to-morrow 10 o'clock.

At a Council & General Assembly held at Portsm^o by adjournment Saturday March 27th 1742.

Present in Council

His Excellency Benning Wentworth, Esq., Govr.

[Councillors as before.]

[p. 51.] The Petition of Capt. George Walker with the vote of the House thereon of the 25th Inst granting the Prayer thereof read & the Parties with their council being present moved to be heard thereon — which being granted the Council for the Petitioner was heard in opning & Inforcing the Petition & the Council for the opponent being fully heard the consideration of the vote of the House on s^d Petition was Defer'd till Tuesday next.

A message from the House by Messrs. Clarkson & Gillman Praying his Excelency to adjourn the General Court to Tuesday next and at the same time bro't the following Papers, viz.

A Bill to Enable the Constables within this Prov. to receive Mass^a Bills for this years Tax.

A Bill for Excise upon Liquors.

A Bill for putting the money rec^d for Excise into the Treasury.

A Bill for granting to his Excelency £250 Proclam^a money per annum.

A Bill for the ascertaining the value of the Paper currency.

A Bill for supplying the Treasury with the sum of £4,280 equal to Proclamation money for paying the Sund^ry allowances therein made.

Adjourned till Tuesday next 10 o'clock.

March 30th 1742—Met according to adjournment.

Present in Council

George Jaffrey	Esqs.	Ellis Huske	Esqs.
Jotham Odiorne,		Theo. Atkinson	
Henry Sherburne		Richd Wibird	
Jos. Peirce		Saml Smith	
Jos. Sherburne		John Downing	

[p. 52.] The several Bills Bro't up on Saturday Last by Messrs. Clarkson & Gillman read this day at ye Board.

Adjourned till tomorrow 10 o'clock.

March 31st, 1742—Met according to adjournment.

Present in Council [as before, except Samuel Smith, Esq.]

The several Bills read yesterday were again read at the board.

Alsoe a Bill for Enabling the Proprietors of Barrington to regulate their affairs.

Messrs. Nathl Rogers & Eleazer Russell Esq., & Mr. Benja Gambling Desired leave as they were a Comittee authorized & Impowered by the Proprietors of Barrington to bring in a Bill to Enable the sd Proprietors to regulate their affairs in the Propriety.

The consideration of sd motion is defer'd till the next session of the Genl Court.

Adjourned till to morrow 10 o'clock.

April 1st 1742—Met according to adjournment.

Present in Council [as before, also] Samuel Smith, Esq.

[p. 53.] A message from the House with a Bill in favor of the Proprietors of Barrington Enabling them to assess themselves. Bro't up by Mr. Kenney—read.

Alsoe a Bill in favour of Elisha Plaisted, Esq. for rectifying a mistake in an Execution—read.

A vote of the House for the choice of a Comittee to form the Excise on Liquors.

A vote Enabling the Comittee for signing the money to Imprint £1280 to Lay Blank in the Treasury.

A vote appointing a Comittee to ascertain the value of the Paper Currency from Time to Time.

A vote for a Comittee to repair the Prison.

A Petition of Mr. James Jeffrey praying to be put upon the same footing that other Debtors of the £1730 were and the vote of the House thereon—read.

Mr. Packer from the House bro't up a vote for the Payment of James Clarkson, Esq., his acct of £3:—and a vote for the Pay-

ment of £21 : 5 an arrearage Due to the Council. Mr. Clarkson from the House bro't up a vote for putting the Province Plates into the hands of the Treasurer for safe keeping—and one other vote for the Payment of George Jeffrey Esq. &c., for their attendance at Hampton.

Adjourned till tomorrow 10 o'clock, A. M.

April 2d 1742—Met according to adjournment.

Present in Council [as before.]

[P. 54.] His Majesties Council took under consideration the several votes of the House Entered yesterday & voted a concurrence therewith which his Excellency was pleased to assent to.

A message from the House by Mr. Clarkson to inquire weither the act in favour of Mr. Blunt of New Castle had passed at the board—and alsoe Bro't up three votes of the House for the choice of three separate Comittees for making Signing & selling out the £25000 Proposed to be emitted.

A message by Mr. Elkins with a vote of the House for paying the Comittee appointed to Impress and signe the £6000 now to be made & put into the Treasury the sum of £50—which sd vote was concurred at the Board and assented to by his Excellency—as was alsoe the House votes for Comittees Bro't up this day by Mr. Clarkson.

Adjourned till 3 o'clock P. M.

Present in Council—His Excellency Benning Wentworth Esq. Govr.

His Majtys Council as in the forenoon.

Upon reading the Petition of Richd Hilton Esq. & the vote of the House thereon of the 18th Febr last granting the Prayer of sd Petition & the Question being put weither the consideration thereof should be deferred till the 2d day of the sitting of the Genl. Assembly next it passed in the affirmative.

A message to the Board by Mr. Clarkson with a vote for the payment of £10 to a Comittee appointed to call a meeting in the several Districts lately ordered to Pay Prov. Tax—which vote was concurred in Council.

[P. 55.] Aisoe a vote of the House appointing a Comittee to address his Majesty (in the recess of the Genl Court) for the repeated *repeated* instances of royal favours &c. Concurred in Council & assented to by his Excelency.

A message to the House by the Secy with Mr. Blunts Bill recommending an amendment.

A message from the House by Mr. Clarkson in answer to the message from the Board by the Secy relating to Mr. Blunts Bill viz. That it was not the interest of the House to have the article

in the Treasury Bill for the payment of the s^d Mr. Blunt unless the Council concurred with the Bill as sent up & therefore the House Desired the Treasury Bill might be sent down to make an alteration in that Particular.

A message by the Sec^y to the House to carry the Treasury Bill down to have the alteration made as desired by the Houses message of this day by Mr. Clarkson & the s^d alteration being made the Sec^y Bro't up the Bill again.

Adjourned till tomorrow 10 o'clock.

At a Council & General Assembly held at Portsm^o by adjournment on Saturday April 3^d 1742.

Present in Council

His Excelency Benning Wentworth Esq. Govr.

George Jaffrey	Esqs	Ellis Huske	Esqs.
Jotham Odiorne		Theod. Atkinson	
Henry Sherburne		Richd Wibird	
Josh^a Peirce		Saml Smith	
Jos. Sherburne		John Downing	

Mr. Clarkson with a message from the House Bro't up the Bill for Emitting £25000 on Loan the Interest appropriated for the [p. 56.] use of his Maj^ty as mentioned in the s^d Bill & passd in the House—read in Council.

Then the Council adjourned till 3 o'clock p. m.

Present his Excelency the Govern^r & Council as Entered in the forenoon.

A message to the Board by Mr. Israel Gillman with a vote for allowing Mr. Parker's (1) acc^t for Drawing acts this Session, and alsoe an allowance of Mr. Livermore acc^t for the same service both which were concurred by the Council & assented to by his Excelency.

The Bill for £5000 read a third time & passd in Council.

(1) Hon. William Parker was the eldest son of William Parker, Esq., of Portsmouth. His mother was Zerviah Stanley (daughter of the Earl of Derby), who married against her father's consent and came to this country from England in 1703, in which year William was born. Adams, in "Annals of Portsmouth," says: He received the rudiments of his education in one of the public schools, and at the age of fifteen became an apprentice to his father, who was a tanner. He made himself thoroughly acquainted with that business, but relinquished it soon after he became of age, and was employed for several years as master of one of the public schools. In his leisure hours he pursued the study of law and was admitted to the bar in 1732. He was one of the Clerks of the Commissioners, at Hampton, 1737, to settle the line between the provinces; appointed Register of Probate by Gov. Belcher, 1737; he was also Surrogate Judge of Admiralty, and for many years the only Notary Public in the Province. He was Representative in the General Assembly from 1765 to 1774. In August, 1771, he was appointed one of the Justices of the Superior Court, which office he held until the royal authority ceased in New Hampshire, 1775. Judge Parker was esteemed a well read and accurate lawyer. He also gave much attention to classical literature and the belles-lettres, in which he made great proficiency. In 1763 he received from Harvard College the honorary degree of Master of Arts, *pro meritis suis*. He early became a professor of religion, was a member of the North Church and one of the deacons. He died at Portsmouth, April 29, 1781, aged 77.—Ed.

A message by the Sec^y to acquaint the House that the several Bills passed in the House this sessions was Passed in Council & alsoe that his Excelency required the attendance of the Speaker and the House at the Council Chamber, who returned that the Speaker & the House would attend upon his Excelency Imediately. Accordingly the Speaker & members were admitted into the Council Chamber when the several acts were signed & the Province seal affixed—which several acts are Intituted as follows, viz.:

An Act for Incorporating a new Parish in the Township of Londonderry in the Province of New Hamp^r.

An Act to authorize James Tuttle of Dover in the Province of New Hampshire Husbandman to turn a certain way running thro' his Land in Dover afores^d.

[P. 57.] An Act for Erecting and Incorporating a New Parish or Precinct in the Township of Exeter in the Province of New Hampshire.

An Act subjecting the Proprietors of the first & second divisions of Land in the Town of Rochester in s^d Province to pay a Tax annually towards the support of a gospel minister in s^d Town.

An Act to Impower the Treasurer for the Province of New Hamp^r to sell a Parcell of Land in Portsmouth in this Province containing nineteen acres and one-third of an acre taken by Execution at the suit of Andrew Wiggin Esq Speaker of the House of Representatives for s^d Province against the Estate of George Vaughan late of Portsm^o afores^d Esq. Deceased for the use of s^d Province.

An Act for removing a road that leads to a Place call'd Broad Cove in Newington in the Province of New Hamp^r.

An Act for subjecting all Persons & Estates within this Province lying to the Eastward or Northward of the Northern & Eastern Boundarys of the Province of Mass^a Bay (not being within any Township) to pay a Tax (according to the rules therein Prescribed) towards the support of the government.

An Act for the better regulation of the affairs of the Proprietors of the Township of Canterbury and to Promote the settlement of the same.

[P. 58.] An Act for Docking an Intail of a certain Parcell of Land containing ninety-seven acres seituate in Dover in the Province of New Hamp^r given & Devised by Thomas Hanson late of Dover afores^d in & by his last Will & Testament unto his Two sons Maul & Jonathan.

An act for the Division of a certain Parcell of Land seituate in Londonderry in s^d Province.

An act to Enable the grand comitee of the fifteen thousand pounds Loan to Pay a certain part of the overplus money according to the Directions therein contained.

An act to ascertain the Boundarys of a certain tract of Land herein after mentioned.

An act to enable the Inhabitants of this Province who shall be rated or assessed to the Province Tax for this Present year 1742, if they shall see fitt to pay their said Tax in Bills of Publick credit on this Province to be Emitted this present year six shillings & eight pence whereof shall be equal to one ounce of coined silver Troy weight of Sterling alloy or in Bills of Publick credit on the Province of the Massachusetts Bay of the like value emitted the last year.

An act for granting unto his most excellent Majesty the sum of four thousand seven hundred & twenty Pounds Bills of Cred^t on this Province Equal to so much Proclamation money for supplying the Treasury for Discharging [P. 59.] the Publick Debts and for other purposes in this act hereinafter mentioned & for appropriating and Drawing in of the s^d Bills into the Treasury again.

An act for granting unto his Majesty the Sum of Two hundred & fifty Pounds Proclamation money or in Bills of Cred^{t} on this Province Equivalent thereunto towards the support of his Governour here.

An act in addition to an act Entitled an act for granting unto his Majesty an Excise on several liquors made & passed by the General Assembly of this Province in the fifth year of his Majestys reign.

An act to ascertain the value of money and the Bills of Publick Cred^{t} of this Province granted this present year for the supply of the Treasury & for the Securing the cred^{t} of s^{d} Bills.

An act for Emitting the sum of Twenty five thousand pounds in Bills of credit on this Province equal to so much Proclamation money upon Loan and for granting to his Majesty the Interest that shall arise thereby for the Purposes in s^{d} act mentioned.

An act to ascertain the Fee of a Messuage & Tract of Land in Portsmouth in the Province of New Hampshire containing about Twelve acres heretofore mortgaged by William Vaughan of Portsm^{o} afores^{d} gentleman to George Walker of Portsm^{o} afores^{d} gentleman.

Then the Sec^{y} by his Excelencys comand Prorogued the General Assembly to Monday the 7th day of June next then to meet [p. 60.] at Portsm^{o} in the Province of New Hamp^{r} at 10 of the clock before noon.

[Note. Here is entered the answer of the House of representatives to his Excelencys speech of the 16th Jany 1741-2, which answer is found in "Journal of the House" pp. 138, 139, which see.]—Ed.

[Note 2. Here follows a record of the proceedings of the General Assembly in relation to Votes &c. of the House, at different times during the foregoing sessions, but which were not entered by the Secretary in their proper place, viz:]—Ed.

[p. 65.] Feby 19th 1741-2. In the House of Representatives.

Voted, That Joshua Pierce, Esq. be recorder of Deeds &c, for the Province of New Hampshire for one year from this Time and until the End of the next sessions of the General Assembly after the year is up & that he take & receive for every Deed he records two shillings & six pence for his attestation thereon & the like sum for every copy he gives out and no more.

In Council Feb. 23 1761-2 read and concurred. James Jaffrey, Cler. Assm. Richd Waldron, Secy.

Feb. 23, 1741, assented to B. Wentworth.

In the House of Representatives March 24th, 1741.

Voted, That Messrs. Thomas Packer and Mr. Jotham Odiorne be a Comittee of this House to joyne such as the Honble the Council shall appoint to make up and settle the Acc^{ts} with the Province of the Mass^{a} Bay for the charge of the Comissioners and other charges on the settlem^{t} of the Boundary Lines according to his Majestys Judgm^{t} & final determination in Council and to receive all such sum & sums of money as are Due & upon recepts Legal acquittances & Discharges to give in behalf of the government of New Hampshire & what money they receive shall be put into the Treasury and there to lye until it be ordered out by the General Assembly and his Excelency is hereby Desired to Write to & recomend the affair thereof to his Excelency Govern^{r} Shirley earnestly to expedite the same.

James Jeffrey Cler. Assm.

[p. 66.] In Council March 24th 1745.

The above Vote read & concurred & voted that George Jaffrey & Theod. Atkinson Esqrs. be a Comittee from the Board to joyne the Comittee of the House in the affair afores^{d}. Any three to make a Quorum.

Theod. Atkinson, Secy.

Eodem Die. In the House of Representatives the vote of Council read & concurrd.

James Jeffrey Cler. Assm.

March 27th, 1742. Assented to

B. Wentworth.

In the House of Representatives March 25, 1742.

Voted, That the towns of Chester, Rochester, Nottingham & Barrington be ordered to bring in the Acct of their rateable Estates in the same maner as other Towns do in order for their being Bro't into the new Proportion.

James Jaffrey Cler. Assm.

In Council Edm Die read & concurred.

Theod. Atkinson, Secy.

1742 March 27th. Assented to.

B. Wentworth.

In the House of Representatives March 23d 1741-2.

Voted That Mr. Thomas Packer be a Comittee of this House to joyne with such as the Honble the Council shall appoint to demand the old Plates that Bills of Credt have been struck of from & bring the same Plates into the General Assembly that they may be disposed of or deposited in some safe hands as the Genl Assembly shall order.

James Jeffrey Cler Assm.

[p. 67.] 1742 March 24th In Council the above vote read & Concurrd & Joseph Sherburne, Esq. added on the parte of the Board to joyne with Mr. Packer.

Theod. Atkinson, Secy.

March 27th, 1742. Assented to

B. Wentworth.

In the House of Representatives, March 18th 1741.

Voted That there be paid three shillings & nine pence Bills of Credt of a new Tenor Proposed to be made equal to Proclamation money to every one of his Majesty's Council for this Province for every day they sit in general assembly & three shillings of like Bills of Credt be paid each representative for every day they sitt in general assembly the Time to comence from the first day of the sitting of the present sessions & these sums both Councillors and Representatives to be in full for every day's service as aforesd any Law usage or custom to the contrary thereof notwithstanding — the Councilrs to be paid out of the Publick Treasury on certificate from the Secy and the representatives to be paid likewise out of the Publick Treasury on certificate from the clerk of the Assm these payments to continue tor three years & no longer.

James Jaffrey Cler. Assm.

In Council March 26th 1742. The within vote read & concurred.

Theod. Atkinson, Secy.

March 27th 1742. Assented to

B. Wentworth.

In the House of representatives March 26, 1742.

Voted That John Thomlinson of London in Great Britain, Eng., be Desired to continue Agent for this Province and he is hereby constituted and [p. 68.] appointed agent for this Provce at the Court of Great Britain in all affairs that concerns the Province of New Hampshire from time to time as any thing may offer & as he may have advice to prosecute any affair at any time.

James Jeffrey Cler. Assm.

Eodm Die. In Council read & concurred.

Theo. Atkinson, Secy.

1742 March 27. Assented to

B. Wentworth.

In the House of Representatives March 23d 1741

In case the Assembly do not agree on the Prices of the species in the supply Bill, Voted That Capt. Thomas Wallingford Saml Gillman Esq. & Capt. Ichabod [Robie] be a Comittee of this House to joyne such as the Honble the Council shall appoint to set the Prices on the respective species enumerated in the Supply Bill now to be enacted and to do it yearly — as in sd act — the species at follows, Silver, Gold, Hemp, Flax, Winter & Isle of Sable Mercht Cod fish, Mercht Bar Iron, Indian corn, rye, wheat, Barley, peas, Pork, Beef, Mercht White pine boards, white oak plank, bees wax, baberry wax, Tallow, Tanned sole Leather.

James Jeffrey, Cler. Assm.

In Council March 24th 1741— read & concurred & Jotham Odiorne, Ellis Huske & Richd Wibird added to the Comittee above.

Theod. Atkinson, Secy.

March 27th 1742. Assented to

B. Wentworth.

In the House of Representatives March 19, 1741—

Whereas there has been some Desputes about the comissions in the Treasurer's accounts formerly and for Preventing any such for the future:

[p. 69.] Voted that the Treasurer for the Time being for the future be allowed & paid out of the Treasury of the Province for three years from the 26th March curr for his whole service as Treasurer & no more—the sum of fifty pounds per annum In bills of Credt Equal to Proclamation money.

James Jeffrey Clr. Assm.

March 23d 1741.—In Council read & Concurred.

Theodore Atkinson, Secy.

March 24th 1741—Assented to—

B. Wentworth.

In the House of Representatives, March 26, 1742.

Voted That Messrs Richd Jennes & George Walton be a Comittee of the House to joyne such as the Honble the Council shall appoint to Farm out the Excise of Liquors in the Province by Public Vendue, (viz) from the 15th November last past to the 15th of May next according to the Old Excise Act, & from the 15th of May next to the 15th of May 1743 according to the additional Act of Excise and to take sufficient security for the payment of the same into the Treasury for the first part by the 15th of May next, and from that Time to be paid into the Treasury Quarterly And that it be let out by the 13th day of April next.

James Jeffrey Cler. Assem.

In Council April 1, 1742, read & concurred & Henry Sherburne & Joseph Sherburne Esqs. are added to the Comittee.

Theod. Atkinson, Secy.

April 2d 1742—Assented to—

B. Wentworth.

[p. 70.] In the House of Representatives April 1, 1742.

The Comittee that was appointed to get the Plates that were formally used for striking bills of Credt Bro't into the House from Plates for Printing or Stamping Bills, and one Cyphered Back Plate,

Voted That the sd Plates be comitted to the care of the Treasurer for the Time being And alsoe six sheets of Blank Bills all for safe keeping and for which he shall be upon Oath for their so keeping till further order of the General Assembly.

James Jeffrey Cler. Assm.

In Council April 1, 1742. Read and concurred,

Theodore Atkinson, Secy.

April 2d 1742. Assented to

B. Wentworth.

In the House of Representatives Feby 19th 1741—

Voted That Mr. Speaker Wiggin James Clarkson Esq. & Mr. George Walton be a Comittee of this House to joyne such as the Honble the Council shall appoint to signe off the new Bills to be Emitted this Sessions and that they be paid for signing and Tending the Press two & half pr ct: old Tenor for the six thousand pounds and that any three of them signe every Bill & no more.

Sent up 23d March 1741—

James Jeffrey Cler Assm.

In Council April 2d 1742. Read & concurred & Jotham Odiorne, Ellis Huske & Joshua Peirce Esqs added to the Comittee.

Theor Atkinson, Secy.

Eodem Die, Assented to

B. Wentworth.

[p. 71.] In the House of Representatives Feby 19th 1741—

Voted That Messrs Peter Gillman Mr. Jothm Odiorne Jun. & Mr. Hunking Wentworth be a Comittee of this House to joyne with such as the Honble the Council shall appoint to ascertain the value of money & Exchange for *chancering* the value of the Bills of Credt now to be Emitted by Act of this Sessions.

James Jeffrey Cler Assm.

In Council April 1, 1742. Read & Concurred & Henry Sherburne Ellis Huske & George Jeffrey Esqs added to the Comittee above.

Theor Atkinson Secy.

April 2d 1742. Assented to

B. Wentworth.

Province of New Hampshire.

In the House of Represents.

Voted That his Excellency be Presented with the sum five hundred pounds & paid out of the money raised for the West India Expedition now in the Treasury towards the charge he has been at in coming to the Government &c. & Prays his Excellencys acceptance of the same, and that his Excelency be desired to issue out his Warrt accordingly.

Feby. 17th 1741— James Jeffrey Cler. Assm.

March 31, 1742. In Council. Read & concurred.

Theod. Atkinson, Secy.

April 2d 1742. Assented to.

B. Wentworth.

In the House of Representatives March 13, 1741—

[p. 72.] Voted that his Excellency be Presented with the sum of one hundred & Twenty-five pounds Bills of Credt out of the six thousand pounds now to be Emitted equal to Proclamation money.

James Jeffrey Cler. Assm.

March 31, 1742. In Council read and concurred,

Theor Atkinson, Secy.

April 2d 1742.—Assented to

B. Wentworth.

In the House of Representatives.

Voted that his Excellency Draw the sum of one hundred pounds out of the money now in the Treasury the said sum to be for his Excelencies use to hire a house to live in for the year 1742 to commence from the 25th March Currt.

March 31, 1742. James Jeffrey Cler. Assm.

In Council, April 2d 1742. Read & concurred.

Theodore Atkinson.

April the 2d 1742, Assented to

B. Wentworth.

In the House of Representatives March 26th 1742.

Voted That there be Immediately paid out of the Publick Treasury the sum of Twenty pounds to the Comittee appointed to call ye first meeting in the new Precincts added to the Governmt towards their Pay & for them to bear their present charge.

James Jeffrey, Cler. Assm.

In Council, March 31, 1742. Read & concurred.

Theodr Atkinson, Secy.

April 2d 1742. Assented to

B. WENTWORTH.

[P. 73.] In the House of Representatives April 2d 1742.

Voted That there be paid Messrs Ebenzr Stephens, Richard Jennes & George Walton as a Comittee for calling the first meetings in the new Districts the sum of Ten pounds in part of their Pay for that service besides the Twenty pounds already voted to be paid them.

James Jeffrey Cler Assm.

Eodem Die. In Council read & Concurred.

Theor Atkinson, Secy.

Assented to

B. WENTWORTH.

In the House of Representatives March 27th 1742.

Voted That Mr. Hunking Wentworth be a Comittee of this House to joyne with such as the Honble the Council shall appoint to se the repair of the Prison Done the cheapest way they can.

James Jeffrey Cler Assm.

April 2d 1742. In Council read & concurrd & Jotham Odiorne Esq. appointed of the Comittee.

Theodr Atkinson, Secy.

April 2d 1742. Assented to

B. WENTWORTH.

In the House of Representatives April 2d 1742.

Voted That Mr. Speaker Wiggin Mr. Thomas Packer & Mr. Jotham Odiorne be a Committee of this House to joyne such as the Honble the Council shall appoint (in the recess of the Assembly) to adress his most Excellent Majesty for the repeated Instances of royal favours that we have Recd in making a seperate Governmt and in appointing us such an acceptable gentle-[P. 74.] man to be our Governr and in making a final settlement of the long Dispute about the Boundary Lines &c (1).

And that the same Committee alsoe further address his most Excellent Majesty for the obtaining Warlike stores for the Fort William & Mary and for Defence of the frontiers &c.

James Jeffrey, Cler. Assm.

Eodem Die. In Council the above vote read & concurrd & Messrs. George Jaffrey Henry Sherburne & Richd Wibird Esq., added to the above Comittee.

Theodr Atkinson Secy.

April 2d 1742. Assented to B. WENTWORTH.

In the House of Representatives April 1, 1742.

Voted That the Council be paid the sum of Twenty one pounds five shillings out of the money in the supply Bill for paying contingencies; and this twenty five pounds five shillings to be in full of what they say was not ac-

(1) If this proposed Address to His Majesty was ever written and sent, a copy of it cannot now be found.—ED.

counted for in their payment in the year 1737 by a mistake in the Secy's certificate.

James Jeffrey Cler. Assm.

In Council April 1, 1742. The within vote read & concurred April 2, 1742.

Theo. Atkinson, Secy.

April 2d, 1742. Assented to

B. Wentworth.

Province of New Hamps to James Clarkson, Dr.

To pd Secy Waldron for affixing the Prov. Seal to the Journal of the House of Representatives sent Home in 1740 . . .	£1: 10:
To pd do. for duplicate to do.	1: 10:
	£3:

James Clarkson.

[P. 75.] In the House of Representatives April 1, 1742.

Voted That the three Pounds be paid the sd Mr. Clarkson out of the money now in the Treasury.

James Jeffrey Cler. Assm.

In Council April 1, 1742. The within vote read & concurred.

Theod. Atkinson, Secy.

April 2d 1742. Assented to

B. Wentworth.

In the House of Representatives March 26, 1742.

Whereas John Thomlinson of London in Great Brittain Esq., having for many years past had the care & charge of all the affairs of this Province at the Court of Great Brittain which he hath ever managed with the greatest Prudence and success,

Wherefore voted that the sd John Thomlinson Esq. have the thanks of this Governmt for the unwearid pains & difficulty he hath been at in Prosecuting & defending our cause at the several Boards in Great Brittain and that as an instance of our great regard for his Person & services.

Voted That there be remitted him the sum of one hundred pounds sterling which he is hereby Desired to accept as an acknowledgment of our obligation to him till we shall be able to make a more ample reward & that Messrs. Thomas Packer & Jotham Odiorne Jun. be a Comittee of this House to joyne such as the Honble the Council shall appoint to draw the same out of the Treasury & with it Purchase a Bill of Exchange & remit it him as soon as the Treasury shall be supplyed.

James Jeffrey Cler. Assm.

1742 March 31. In Council the above vote read & concurred & voted that George Jaffrey Esq. be added to the Comittee above mentioned.

Theod. Atkinson Secy.

April the 2d 1742. Assented to

B. Wentworth.

[P. 76.] An acct signed Wm. Parker for sundry services Done the Province, viz. Assisting in the affairs of the Lines Drawing sundry Laws &c. amo to £12. which acct is dated the 3d April 1742—and the following vote passed upon it viz.

In the House of Representatives April 3d 1742.

Voted That there be allowed & paid the above sd sum of Twelve pounds

Old Tenor in full of the above acc^t out of the money in the Supply Bill for paying contingencys it being three Pounds equal to Proclamation money.

James Jeffrey Cler. Ass^m.

April 3^d 1742. The above Vote read in Council & concurred.

Theod. Atkinson Secy.

Eodem Die—Assented to

B. WENTWORTH.

An acc^t Signed Matthew Livermore, (1) Dated April 3^d 1742 Amounting to £16: for sund^y services Drawing Acts &c. as per acc^t on file—on which s^d acc^t the following vote passed viz.

In the House of Representatives April 3^d 1742.

Voted that the within acc^t be allowed and paid the s^d Matthew Livermore Esq. the sum of sixteen pounds in full of the within acc^t old Tenor or four pounds New Tenor Equal to Proclamation money to be paid out of the money in the Supply Bill for paying Contingencys.

James Jeffrey Cler. Ass^m.

Eodem Die—In Council read & concurred,

Theodore Atkinson, Sec^y.

Eodem Die—Assented to

B. WENTWORTH.

[P. 77.] In the House of Representatives April 1, 1742.

Voted That there be paid the Executors or Administra^rs of the Honble Shadrack Walton Esq. Deceased (2) and to George Jaffrey & Jotham Odiorne Esq. (to every one of them) the sum of one Pound out of the money in the Supply Bill for paying Contingencies & this Twenty shillings to each one of them to be in full for their attendance at Hampton to make them equal to the other Councillors.

James Jeffrey Cler. Ass^m.

In Council April 1, 1742. The within read & concurred.

Theod. Atkinson, Sec^y.

April 2^d 1742. Assented to

B. WENTWORTH.

(1) MATTHEW LIVERMORE was born at Watertown, Mass. January 14th, 1703, and was graduated at Harvard College, 1722. The selectmen of Portsmouth had applied to the officers of the college to send them a young graduate qualified to teach a grammar school, who was willing to engage in that business for ten years. They recommended Mr. Livermore, who came to Portsmouth in 1724, but stated to the selectmen his intention of studying law, and reserved liberty to quit the school as soon as he was qualified for admission to the bar. He continued to instruct the school seven years, and was sworn as an attorney at law in 1731. There was at that time no regularly educated lawyer in Portsmouth, and soon after Mr. Livermore's admission, Gov. Belcher appointed him Attorney-General for the Province and Advocate for the King in the courts of Admiralty. This office was very lucrative, and Mr. Livermore stated to the Governor that he would not accept the office of Attorney-General, which was vexatious and unprofitable, unless he could likewise be appointed Advocate. His sensibility was much excited, when in the course of his official duties, he was instrumental in procuring the capital punishment of a criminal; and during his practice, he was three times called to discharge this painful task. He was correct in practice, faithful to his clients, serious in his deportment, exemplary in his conduct and firm in his belief of the truths of the gospel. Infirmities of body and mind disqualified him from attending to any business several years before his death, which took place Feburary 14, 1776, aged 73. It may be added that Matthew Livermore was a relative, but not a brother of Samuel Livermore, who was a native of Waltham, Mass., and settled in Portsmouth, 1758. The latter also was eminently distinguished as a lawyer and as the King's attorney under the administration of Gov. John Wentworth. Samuel was the father of Judge Arthur Livermore, who settled in Holderness, N. H., and of Edward St. Loe Livermore of Portsmouth. [*See Ad. Ann. and Brewster's Ramb. about Portsmouth.*]—ED.

(2) Hon. SHADRACK WALTON, of New Castle, one of his Majesty's council of the Province of N. H. from 1716, to the time of his death, October 3, 1741, aged 83 years.—ED.

In the House of Representatives April 2d 1742.

Whereas there will be money wanted to buy Plates paper & ink and Expence to goe to Boston to get the same for the printing off the £6000 now to be struck off,

Voted That there be paid to the Comittee that are appointed to see the doing of that affair the sum of £50 out of the Public Treasury for that End for which sum they are to render an account thereof to the Genll Assembly.

James Jeffrey, Clerk. Assm.

Eodem Die. In Council read & concurr'd

Theod. Atkinson, Secy.

Eodem Die. Assented to.

B. Wentworth.

Here endeth the first sessions of the General Assembly after the arrival of his Excellency Benning Wentworth, Esq. Governour —which was ended the 3d Day of April, & from thence Prorogued to the 7th Day of June 1742.

[p. 78.] Province of New Hampr.

Anno Regni Regis Georgii Secundi Decimo Quinto.

At a General Assembly held at Portsmo the 7th Day of June being Monday by Prorogation from Saturday the 3d of April 1742.

Present in Council

George Jaffrey Jotham Odiorne Henry Sherburne Johna Peirce	Esqs.	Joseph Sherburne Theod. Atkinson Jno. Downing Saml Smith

Adjourned by his Excelency's order till tomorrow 10 o'clock.

At a General Assembly held by adjournmt at Portsmo on Tuesday June the 8th 1742.

Present in Council (1)

His Excelency Benning Wentworth, Esq. Governr.

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburn	Esqs	Josa Peirce Theod. Atkinson Jno. Downing Saml Smith	Esqs.

A message from his Excelency to the House by the Secretary to Enquire if there was a Quorum & if so then to require the at-

(1) When the same members of council are present, at successive sessions, the editor does not deem it necessary to repeat their names, but only to indicate the fact.—Ed.

tendance of the Speaker & the House at the Council Chamber who return'd that he had don the message.

The Speaker and the House attended in obedience to his Excelencys Message & then his Excelency made a speech to boath [P. 79.] Houses which is as follows viz.

[See this speech in full in "Journal of the House," p. 162 of this volume.]

[P. 80.] Mr. Speaker asked the favour of his Excelency that he might have a copy of the speech & then withdrew.

A message from his Excellency to the House with a copy of the speech.

Adjourned till tomorrow 10 of the clock A. M.

June 9th 1742 [Met according to adjournment] and Adjourned till tomorrow morn.

At a Council & General Assembly held at Portsmo by adjournmt on Thursday June 10th 1742

Present in Council

His Excelency Benning Wentworth Esq. Governr.

George Jaffrey Jotham Odiorne Henry Sherburne Josn Peirce	Esqs.	Joseph Sherburne Theod. Atkinson Jno. Downing Saml Smith	Esqs.

A Petition signed Nicho Gillman & Saml Gillman minors praying for a special act to enable them to make an Exchange of a Piece of Land read & sent down.

A Petition of sundry Persons near North Hill Parish Desiring a line &c. for a Parish—read and sent Down by the Secretary.

A Petition from the Selectmen of Chester for a road to be Laid out to Londonderry—read & sent down by Capt Downing.

[P. 81.] A Petition of Moses Ingraham for Lycence for a Tavern send down by the Secy.

A vote of the House requiring Portsmo & some other Towns that were not notifyed before to take an Inventory of their Estates in order to an equal Proportion of the Province Tax for the next year. Bro't up by Mr. Towle which vote was concurred by the Council and assented to by his Excellency.

A message from the House by Mr. Roby with the Petition of Mr. Ingraham & vote of the House dismissing the same.

Adjourn'd till tomorrow 10 o'clock A. M.

At a General Assembly held at Portsm° according to adjournm' on Fryday June 11th 1742.

Present in Council [as before]

Mr. Stevens from the House bro't up a Bill in favour of Nich° Gillman & Sam' Gillman minors Enabling them to Exchange some Land which was read at the board & send down to the House for an amendment—and returnd amended.

A message from his Excellency by the Secretary to the House that he had not assented to the vote of the House of the 27th March last for Impowering the comittee for making money to Imprint £1280 to lay blank in the Treasury—and alsoe to recommend to the House the making some order relating to the £500 Blank Bills of the old sorte of money now in the Treasury.

[P. 82.] The Bill in favour of Messrs Gillman to Exchange was read at the board a second time.

A message from his Excelency to the House by the Secretary to acquaint them that Mr. William Vaughan had applyed to him & desired he would recommend to the Gen' Court the choosing a Comittee to sorte sundry loose papers now in the recorders hands that the same may be lodged in the respective offices where they properly belong.

Adjourned till tomorrow 10 o'clock.

June 12th 1742—Met according to adjournment.

Present in Council [as before]

Mr. Elkins from the House bro't up a vote adding sund^y Persons to the Comittee for bringing in to the Gen' Assembly the outstanding money of the £15000 Loan in order to the same being burnt which vote was concurred by the Council.

The Petition of the Selectmen of Chester Praying for a road with the vote of the House thereon for notifying the Selectmen of Londonderry to shew cause &c bro't up by Mr. Jennes.

The Petition of Joseph Rollings for a rehearing a case at Comon Law and the vote of the House thereon to notify the adverse Party which vote was concurrd by the Council & assented to by the Govr.

[P. 83.] Mr. Stevens from the House bro't up the House's Answer to his Excellency's speech made at the opning of this Sessions & Deliver'd to his Excellency which was read at the board & is as follows, viz.

[This answer is found in full in "Journal of the House," p. 164, of this volume.]

Then the General Assembly was adjourned till Monday the 21st Inst. then to meet at Portsm° at 10 o'clock A. M.

[p. 84.] At a General Assembly held at Portsm^{o} by adjournm^{t} on Monday June the 21st 1742.

Present in Council

George Jaffrey Jotham Odiorne Henry Sherburne Jos^{a} Pierce Joseph Sherburne	Esqs.	Theod. Atkinson Richd Wibird Saml Smith John Downing	Esqs.

A Petition signed George Bean Praying that an act may be made enabling Mehetabel Gordon Wid^{o} & administratrix to make a Deed of a Piece of Land bought by the Petitioner of James Gordon Deceas^{d} for which he had said James's Deed but was burnt with the Petitioners house & was not recovered — read and sent sent down by the Sec^{y}.

A message from the House by Maj^{r} Gilman with the Petition of Joseph Rollings for a hearing of a case at Law and the vote of the House granting the Prayer thereon — the consideration of which vote is Deferred till to-morrow.

Adjourned till to-morrow 10 o'clock A. M.

June 22^{d} 1742. Met according to adjournmen^{t}.

Present in Council [as before.]

A message from the House by Mr. Thompson with the Petition [p. 85.] of George Bean as Entered yesterday with a vote of the House thereon for granting the Prayer thereof which vote was concurred by the Council and assented to by the Govr.

A Bill in favour of the Petition of Messrs Nich^{o} & Saml Gillman minors enabling them to Exchange a Piece of Land as Pass^{d} in the House the 10th Inst. Passd in Council & assented to by his Excelency.

The consideration of the vote of the House on Joseph Rollings Petition Deferrd till this day is further Deferrd till to-morrow morning.

Adjourned till to-morrow 10 o'clock A. M.

June 23^{d} 1742. Met according to adjournment, and adjourned till to-morrow 10 o'clock A. M.

June 24th, 1742. Met according to adjournment.

Present in Council [as before except Ellis Huske, Esq., instead of Henry Sherburne, Esq.]

A message by Mr. Peter Gillman with the several Invoyces from

the several towns within this Province of the Polls & rateable [p. 86.] Estates within the s^d^ Towns — and the vote of the House thereon setting a value on each Particular in order to a new Proportion of a Province Tax — alsoe A vote of the House for the choice of a Comittee to receive from the Treasurer the £500 blank bills now in the Treasury and bring them into Assembly to be burnt.

Alsoe a vote of the House appointing a Comittee to Draw an Act Prohibiting the selling Liquors to the Indians.

Mr. Samuel Gillman Bro't up the vote of the House on the Petition for a fourth Parish in Exeter to send a Comittee to view &c.

Adjourned till tomorrow 10 o'clock A. M.

At a General Assembly held at Portsm^o^ by adjournment on Fryday June 25th 1742.

Present in Council

His Excelency Benning Wentworth, Esq., Governor.

George Jaffrey	Esqs.	Ellis Huske	Esqs.
Jotham Odiorne		Theod. Atkinson	
Jos^a^ Peirce		Saml Smith	
Joseph Sherburne		Jno. Downing	

Mr. Thompson from the House bro't up the Schedule for a new Proportion of the Prov. Tax & vote of the House thereon — and alsoe

A Bill in favor of the Proprietors of Barrington Passed on in the House — which was read.

Adjourned till to-morrow 10 o'clock.

June the 26th 1742. Met according to adjournment.

[p. 87.] Present in Council [as before, also]

Richd Wibird, Esq.

A message from the House by Capt. Wallingford with a Bill for Proportioning the several towns in a Prov. Tax.

A vote for sorteing the Papers in the recorders office which s^d^ vote was concurred at the Board with an Amendment & send down to the House by Mr. Wibird.

A vote of the House for an allowance of the Comittees acc^t^ for calling meetings in the new Districts — which was concurred at the Board and assented to by his Excelency.

Mr. Richard Hilton's Petition for a rehearing of a case before the Court of Appeals — read again and the vote of the House thereon &c ordered to ly under consideration till the 3^d^ day of the next setting of the Genl Assembly.

A message from the House by Mr. Israel Gillman with a vote for Putting the money Plates into the Treasury for safe keeping — and alsoe

A vote to adjust (by a Comittee) the Treasurer's acc^{t} in the recess of the Assembly — both which votes were read at the Board and concurred — and were assented to by the Govern^{r} — the s^{d} Gillman bro't up alsoe a Bill for a fourth Parish in Exeter which was read at the Board and passed.

A message from his Excelency to the House to enquire whether they had passed upon an Act to restrain Persons selling spirituous liquors to the Indians or had any thing to lay before the board — who returned for answer that the speaker said the House had nothing to lay before the Board nor had passed upon the Act Inquired about. Then the several acts that had passed the House this Sessions & had not been acted upon at the board were read [p. 88.] & passed at the Board & assented to by his Excelency & the Seal of the Prov^{e} was affixed thereto, and are Entituled as follows viz.

An act to Enable two minors therein named to exchange their Estates.

An act to Enable the Proprietors of the Township of Barrington to regulate the affairs of the s^{d} Propriety & more effectually to carry on the settlem^{t} of the s^{d} Township.

An act to make void a judgment of the Superiour Court of Judicature held at Portsm^{o} for s^{d} Prov. by adjournm^{t} on the 24th day of May, 1742, recovered by George Walker, Gentleman & Abigail his wife in her right & Daniel Moulton mariner & Elis^{a} his wife in her right all of Portsm^{o} against Joseph Rollings of Newington in s^{d} Province.

An act made & passed by the Great & Genl Court or Assembly of his Maj^{tys} Province of New Hamp^{r} in New England began and held at Portsm^{o} by adjournm^{t} the 21 day of June 1742, authorizing & Impowering Mehittable Gorden widow & administratrix of the estate of James Gorden late of Exeter in the Province afores^{d} Deceased to Execute a good sufficient Deed of conveyance of that Thirty Acres of Land in Exeter afores^{d} That the said James in his lifetime by his Deed conveyed unto George Bean of Exeter afores^{d} husbandman for the consideration therein mentioned & paid unto the s^{d} James Gorden.

An act for the new Proportioning the Province Tax to each Town Parish & Precinct within the Province of New Hamp^{r}.

[p. 89.] An act for making & Establishing a Parish in the south westerly part of Exeter in the Province of New Hampshire.

Then the Secretary by his Excelencys comand PROROGUED the Genl Assembly to the 14th Day of September 1742 then to meet at Portsmouth at 10 o'clock in the forenoon.

The following votes Passed thro' both Houses and are not Included in any act under the Seal.

In the House of Representatives June 12th 1742.

Voted That Messrs Peter Gillman Jotham Odiorne & Richd Jennes be a Comittee to be added to the former Comittee for Bringing in the remainder of the money yet outstanding of the $15000 Loan in the room of John Gillman (1) Esq. Deceased & of Thomas Packer Esq. (2) (who is made High Sherrif) by reason of which office he cannot officiate in that affair.

James Jeffrey, Cler. Assm.

Eodem Die. Read & concurred.

Theod. Atkinson, Secy.

Eodem Die. Assented to

B. Wentworth.

In the House of Representatives, June 24, 1742.

Voted That John Gage Esq. be a Comittee of this House to joyn such as the Honble the Council shall appoint to receive from the Treasurer the £500 Blank Bills of Credt now in the Treasury & bring them into the Assembly & burn them.

James Jeffrey, Cler. Assm.

June 24th 1742.

Eodem Die. In Council read & concurr'd & Richd Wibird Esq. appointed to joyne the Comittee.

Eodem Die. Assented to

B. Wentworth.

[p. 90.] In the House of Representatives June 24th 1742.

Voted That Ebenezr Stephens & John Gage Esq. be Comittee of this House to joyn such as the Honble the Council shall appoint to draw up an Act to Prevent any Person or Persons from selling any spirituous liquors to the Indians unless such as shall be Lycensed so to do.

James Jeffrey Cler. Assm.

In Council Eodem Die, read & concurred, & Messrs Joseph Sherburne & Ellis Huske, Esq. added to the Comittee.

Theod. Atkinson Secy.

Eodem Die. Assented to

B. Wentworth.

(1) John Gillman, Esq., was of Exeter. There were two of the same name, members of the House of Representatives at the same time; one was Speaker of the House, and often called Captain, Colonel and Esquire; the other was called Lieutenant and Major. See frequent references to them in Vols. II. and III., index. For the following notice of Col. John Gillman, Esq., I am indebted to the Hon. Charles H. Bell, of Exeter:

Col. John Gillman was son of Hon. John Gillman, of President Cutts's Council, and was born January 19, 1676-7. In 1703-4 he commanded a company in an expedition against the headquarters of the Indians, as related by Belknap, and was for many years an officer of the militia, and concerned in military affairs. He was a large land-holder in Exeter, and one of the grantees of Gilmanton. He held various offices and positions of trust in his town and province. He married, first, a daughter of Hon. Peter Coffin, and after her decease, the widow of Dr. Robert Hale, of Beverly, Massachusetts. Gen. Peter Gillman, who commanded a regiment at Crown Point in 1755, and held the offices of Councillor and Speaker of the House, and Maj. John Gillman, "of Fort Edward," were his sons. The latter was born October 25, 1712, and inherited the military tastes of his father. In 1757, he was dispatched in charge of reinforcements, to relieve Fort William Henry, but arrived just after the capitulation. He was made captive by Montcalm's savage allies and stripped, but with some difficulty effected his escape.

(2) Thomas Packer, Esq., High Sheriff, whose name often occurs in these Records, was appointed to that office about 1739. He held the office till his death, 22d of June, 1771. He attended three public executions in Portsmouth, viz.: December 27, 1739, of Sarah Simpson and Penelope Kenney, for the murder of a child; in 1755, of Elphaz Dow, of Hampton Falls, for murder; and of Ruth Blay, accused of the murder of an illegitimate child, still born, December 30, 1768. "He was universally esteemed an upright, honest man, faithful in the discharge of the duties of his office, but rigidly severe in the execution of it." [*See Ad. Ann. of Portsmouth*, and *Brewster's Ramb.*]—Ed.

In the House of Representatives, June 26, 1742.

Voted That the Large Plate, the small Plate with one Back Plate bro't in this day to the General Assembly (by the Comittee that was Employed to get Stamped the £4720 for the supply of the Treasury,) as they are now sealed up in the face of the General Assembly be delivered to the Treasurer for the time being taking his receipt for the same to be Delivered to the Genl Assembly when called for and that the three Plates afore s^d Lodged with the Treasurer for safe keeping be put into a Box provided for that use with three different Locks on s^d Box & the Plates to be Locked therein & one key to be kept by the Speaker of the House of Represent^s, Another key by the Treasurer the other by the Secretary all for the Time being *being* until further order of the General Assembly.

James Jeffrey Cler. Ass^m.

In Council Eodem Die. Read & concurred

Theo^d Atkinson, Sec^y.

Eodem Die. Assented to

B. Wentworth.

[p. 91.] In the House of Representatives June 26, 1742.

Rec^d the three Plates from which the new bills of Cred^t of the Province of New Hamp^s was struck for safe keeping as Treasurer of s^d Province—the same to be delivered to the General Assembly when called for.

Copy— Pr. George Jeffrey, Treas^r.

In the House of Represent^s June 26 1742.

Voted That Maj^r Peter Gilman be appointed by this House to joyne such as the Council shall appoint to sort the Papers, that now lyes in the Recorder office (that do not belong there) and that they put the several Papers into the proper offices with an alphabet what they are and that they be paid out of the Treasury.

James Jeffrey Cler. Ass^m.

In Council Eodem Die. Read & Concurred with this amendment—That the Papers above mentioned remain in the custody of the recorder where they now are and an alphabet be returned to the General Assembly at their next sessions in order to their being placed in the several offices as the General Assembly shall order & that Wm. Parker Esq. be of the Comittee.

Theodore Atkinson, Sec^y.

Eodem Die. In the House of Representatives, The Councils Amendment read & concurred.

James Jeffrey Cler. Ass^m.

Prov. N. Hamp^r, June 26th 1742—Assented to

B. Wentworth.

In the House of Representatives June 26 1742.

Voted That Thomas Packer Esq. be of this House to joyne such as the [p. 92.] Honble the Council shall appoint to adjust the Ballance of the Treasurers Acc^t conformable to the vote of this House the Last Sessions.

James Jeffrey, Cler. Ass^m.

In Council June 26, 1742, read and concurrd & George Jeffrey Esq. appointed to joyn in the affair.

Theod. Atkinson, Sec^y.

Eodem Die Assented to

B. Wentworth.

Mem^o. The Comittee appointed to call meetings in the several new Districts bro't in their Report & acc^t of their Time & Expence, as on file

Amounting to £65, Signed Ebenr Stevens, Richd Jennes, George Walton—upon which the following vote passed viz.

In the House of Representatives June 26, 1742.

Voted the above return be received & the acct allowed & what is on-paid to be paid out of the Public Treasury. This to be in full.

James Jeffrey Cler. Assm.

In Council Eodem Die—read & concurrd

Theod. Atkinson.

Eodem Die. Assented to

B. Wentworth.

Then his Excelency ordered the Secretary to Prorogue the General Assembly to the 14th Day of September next at 10 o'clock A. M. Then to meet at Portsmo in sd Province—which was accordingly Don.

[P. 93.] At a Council & General Assembly held at Portsmo by Prorogation (from the 26th June last) on the 14th Day of September 1742, being Tuesday.

Present

His Excellency Benning Wentworth, Esq. Governour.

George Jaffrey	Esqs.	Ellis Huske	Esqs.
Jotham Odiorne		Theod. Atkinson	
Henry Sherburne		Richd Wibird	
Josa Peirce		Saml Smith	
Jos. Sherburne		Jno. Downing	

A message from his Excelency to the House Directing the attendance of the Speaker and the House at the Council board. Accordingly the Speaker & House waited upon his Excelency who made a speech to both Houses as follows, viz.

[See this speech, in Journal of the House, p. 167.]

When the House adjourned till to morrow 10 o'clock.

[P. 94.] At a Council & General Assembly held at Portsmo according to adjournmt on Wednesday Septembr the 15th 1742.

Adjourned till to-morrow 10 o'clock.

[P. 95.] September the 16th 1742. Met according to adjournment.

Present in Council [as before except Henry Sherburne Esq.]

A Petition of Sundy Persons living at North Hill in Hampton

relating to the Parish—ordered to be heard this day send down to the House by the Sec^y in order to a hearing before the House.

A Petition signed James Collins & seven others Inhabitants of South Hampton Praying to be annexed to Hampton Falls being at a great Distance &c. Read & Voted That the Selectmen of South Hampton be notified (at the Expence of the Petitioners) to be Present the 3^d day of the next Sessions of the Genl Assembly to shew cause if any they have why the Pray^r should not be granted which Vote & Petition was send down to the House by the Sec^y.

A mess^a from the House by Mr. Thompson with the above Petition of John Collins &c. and the House's vote of concurrence on the vote of Council respecting thereto—which s^d vote was assented to by his Excellency the Govr.

Mr. Thompson alsoe Bro't up a Petition of Joseph Lock jun^r Praying relieff in a sentence of the Qr. Sessions &c. & vote of the House thereon to notify the adverse Party which vote of the House was concurr'd at the board and assented to by his Excelency the Govr.

Adjourned.

[P. 96.] September 17th 1742. Met according to adjournment.

Present in Council [as before.]

Mr. Stevens from the House bro't up a vote of the House relating to officers taking their fees which being read was send down to the House by Richd Wibird Esq. & the Sec^y with the reason of the Council why they could not act upon it, as it then stood worded.

Mr. Israel Gilman from the House bro't up the Petition of Joseph Lovel & Elisha Sanburne &c. Praying the bounds of the Parish of Brentwood &c. may be ascertained—and the vote of the House thereon Impowering a Comittee for that end—read—& sent down to be rectified—which was Don and bro't up again by Mr. Stevens who alsoe Bro't up North Hill Parish Petition & vote of ye House thereon both which was concurred by the Council & assented to by his Excellency.

Adjourned till to morrow 10 o'clock, A. M.

September 18th 1742—Met according to adjournment.

Present in Council [as before.]

[P. 97.] Mr. Roby from the House with a vote relating to officers fees within this Province which was read & send [down] by the Secretary for amendment.

Messers Clarkson & Gage with a verbal message from the House

on the vote relating to fees Sent Down by the Secretary for an amendment (viz.) That the House was apprehensive that the amendment Proposed by the Council namely that these words (Provided the same be done as soon as conveniently can be) if added would Possibly occasion some Dispute about the s^d^ vote but to assure the Council it was the Determined Resolution of the whole House to take the first opportunity in Joyning with the Council in making such a List of fees as should be tho't agreeable.

Mr. Thompson from the House bro't up a vote for granting a Bounty on soldiers that should Enlist in his Maj^tys^ service for the West Indies.

Mr. Walton from the House bro't up the House's answer to his Excelency's speech and gave it to his Excelency who ordered it to be read at the board and is as follows (viz.)

[See this answer in "Journal of the House," p. 169.]

A Petition signed George Walker & Daniel Moulton (in right of their wives) read—Praying a re-hearing of a Tryal had at his Maj^tys^ Sup^r^ Court for reasons assigned in s^d^ Petition & sent Down to the House.

[p. 99.] Mr. Gage from the House bro't up Capt. Walker & Moulton's Petition and vote of the House thereon for notifying the adverse party—which vote was concurred by the Council and assented to by his Excelency.

Mr. Clarkson from the House with vote for his Excelency to Draw his Sallary before the 12 day of December next if any Excise money in the Treasury.

Which s^d^ vote was concurred by the Council and assented to by the Governour.

A Mess^a^ from the board with the House's vote for the paym^t^ of Mr. Blunt, recomending to the House an amendm^t^.

A message from his Excelency to the House by the Secretary to inquire if the House had anything to lay before the board if not to adjourn the Genl Assembly to Tuesday the 16th of November next, then to meet at Portsm^th^ which was accordingly don.

Province of New Hamp^r^.

At a General Assembly held at Portsm^o^ by adjournment on Tuesday Novr. 16, 1742.

Present in Council

George Jaffrey Jotham Odiorne Joseph Sherburne Theod. Atkinson	Esqs.	Richard Wibird Jno. Downing Sam'l Smith	Esqs.

His Excelency Directed the Sec^y^ to adjourn the Genl Assembly till tomorrow morning 10 o'clock.

[P. 100.] November 17th 1742—Met according to adjournmt.

Present [as before.]

Nothing lying before the board tis adjourned till tomorrow morning 10 o'clock A. M.

November 18th 1742—Met according to adjournmt.

Present in Council

His Excelency Benning Wentworth Esq. Governour

George Jaffrey Jotham Ordiorne Henry Sherburne Joseph Sherburne	Esqs.	Theodore Atkinson Richd Wibird John Downing Saml Smith	Esqs.

A Petition of the Selectmen of the Town of Chester Praying to have a highway laid out in the Town of Londonderry read & sent Down.

A Petition of John Page & Benja Baker Inhabitants of South Hampton Praying to be Polled off with their Estates to Hampton Falls for reasons assigned Read & sent Down.

A Petition of Andrew Gillman and others Praying to be exempted from any charge of a meeting House about to be built in Brintwood for reasons assigned read & sent down by the Secy.

The Comittee appointed Last term to Inquire into the circumstances of North Hill Parish & the old Town of Hampton relating to the Minister and the Parish Bounds &c. Now made a [P. 101.] report as on file which was read at the Board & sent Down to the House for acceptance.

Adjourned till tomorrow 10 o'clock A. M.

At a Council & General Assembly held at Portsmo by adjournmt on Fryday November 19th 1742.

Present in Council

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne	Esq.	Theod. Atkinson Richd Wibird Saml Smith John Downing	Esqs.

The Petition of George Walker & Daniel Moulton as entered with the vote of the House for notifying the adverse Party sent down for a hearing before the House By the Secy—alsoe

The Petition of Joseph Lock Jun. with the Vote thereon for a hearing sent down—alsoe

The Petition of Joseph Levit & Elisha Sandburne agents for the Parish of Brintwood Praying to have the Lines of their Parish run sent down at the same time.

Mr. Towle from the House bro't up a vote for appointing a Comittee to draw up a Table of fees &c. which vote was concurred by the Council & Richd Wibird Esq added to the Comittee and was assented to by the Governor and a message sent to the House to acquaint them hereof.

Mr. Wallingford from the House bro't up the Petition of John Page & Benj^a Baker with a vote of the House thereon to notify the selectmen of North Hampton to shew reason if any they have why the Prayer of the Petition should not be granted.

And alsoe a Petition of eight North Hampton Praying to be poll'd off to Hampton Falls with the vote of the House thereon.

[P. 102.] Adjourned till tomorrow 10 o'clock.

Novemb^r 20th 1742—Met according to adjournment.

Present in Council [as before.]

Mr. Gillman from the House bro't up the Petition of the Selectmen of Chester relating to a High way with the vote of the House thereon for notifying the selectmen of Londonderry to shew reason &c. which vote was amended & then concurred by the Council & assented to by his Excelleney.

A message to the House from his Exceleney by Capt Downing to know if anything would come up to the Board this morning who returned for answer that the Speaker said they had nothing

Adjourned till Monday the 22^d inst. 10 o'clock.

Novr 22 1742—Met according to adjournment.

Present in Council [as before.]

Adjourned by his Excellencys order till tomorrow 10 o'clock A. M.

[P. 103.] Nov. 23^d 1742—Met according to adjournment.

Present [as before except]

Joseph Sherburne & Jno. Downing Esqs.

Samuel Collins one of the 8 Petitioners Praying to be Polld off from South Hampton bro't to the board a certificate from one of the selectmen of South Hampton afores^d signifying he had been served with a copy of s^d Petition & Court order thereon upon reading of which the Council concurred the vote of the House for granting the Prayer of s^d Petition.

Capt Roby from the House bro't up the Petition of Messrs

Walker & Moulton with the vote of the House thereon for Dismissing the same.

Mr. Stevens with a Mess^{a} from the House that the House desired to withdraw their vote of the 19th Inst relating to fees, fines &c.

A mess^{a} from the board to the House by the Sec^{y} in answer to their Mess^{a} by Mr. Stevens about fees, fines &c to acquaint the House that his Excelency had acted upon the s^{d} vote & he not being at the board it could not be withdrawn—

And alsoe To read to the House a Letter from Mr. Agent Thomlinson Dated the 21st of September relating to his receiving the £100 sterling sent him for his service Don this Province.

Mr. Thompson bro't up the Petitions of sund^{y} Persons of Brintwood Praying to be Exempt from the charges of Building a [p. 104.] meeting House &c. & vote of the House thereon ordring the selectmen of Brintwood to be notifyed to appear the 3^{d} day of the sitting of the General Assembly after the 25th Day of Decemb^{r} next which vote of the House was concurred by the Council and then

Adjourned till tomorrow 10 o'clock A. M.

Novemb^{r} 24th 1742—Met according to adjournment.

Present in Council

George Jaffrey Jotham Odiorne Henry Sherburne Jos. Sherburne	Esqs.	Theod. Atkinson Richd Wibird Saml Smith Jno. Downing	Esqs.

Mr. Tod from the House bro't up the Petition of Joseph Lock jun. Praying for a rehearing as entered & the vote of the House thereon granting the Prayer thereof upon conditions &c.

Mr. Thompson Bro't up a vote of the House about fees fines &c. for appointing a Comittee to regulate the same &c. which was read at the Board and a Mess^{a} send down by Messrs Atkinson & Wibird referring to the s^{d} vote That the Council were of opinion the fees as now established to be taken as the vote Proposed was not a sufficient reward for the service done & therefore Proposed to the House that the Fees in the table should be taken in the new Emission at 6*d* for a shilling—and alsoe were directed to acquaint the House from his Excellency that in the act there must be an exception of all fines & Penalties & forfeitures Established by Act of Parliament relateing to the King's Woods, the Admiralty & Custom House which was done & the vote left with the House.

[p. 105.] Mr. Israel Gillman from the House bro't up the above vote ab^{t} fees as it stood at first Except—*Except* the fines and forfeitures as recomended by the Council being Established by Act

of Parliament which vote was concurrd by the Council and assented to by his Excelency.

Adjourned till tomorrow morning 10 o'clock.

At a Council & General Assembly held at Portsm^{o} by adjournment on Thursday November 25th 1742.

Present in Council [as before.]

The Petition of 8 South Hampton men with the vote of the House thereon granting the Petitioners liberty to bring in a Bill under some restrictions as pr Vote on file which s^{d} Petition & vote was bro't up from the House by Mr. Elkins and was read at the board & concurrd & assented to by his Excelency.

A Petition of John Batchelder & 5 others Inhabitants of North Hampton Praying to be Polld off to Hampton old Town for reasons assigned read & send down by Mr. Wibird.

Alsoe a Petition of Ebenz^{r} Stevens Praying an Explanation of an Act for Dividing the two Parishes in Kingston in sundry Particulars read & send down.

The Petition of the Inhabitants of North Hill Praying for Parish bounds bro't up by Mr. Israel Gillman & the vote of the House thereon read & send Down by the Secretary recomending an amendmn^{t} & return'd by Mr. Jennes amended & granting the Petitioners Liberty to bring in a Bill which wats concurred by the Council & assented to by his Excelency.

[p. 196.] Mr. Thompson Bro't up the Petition of Andrew Gillman & others Praying to be exempt from paying towards a meeting House &c. & vote of the House thereon Dated the 23^{d} Inst. for notifying the Selectmen of Brintwood which s^{d} vote was concurred by the Council the 23^{d} curr't and assented to by his Excelency the 24th.

Mr. Tod from the House bro't up the Petition of John Batchelder and 5 others Praying to be Polld of to Hampton and the vote of the House thereon for dismissing the same.

Mr. Tole bro't up a vote of the House obleidging the Parish of Brintwood to pay Prov. Tax to Exeter & that an act should be accordingly made which vote was concurred by the Council and assented to by his Excelency.

Adjourned till to-morrow at 10 o'clock.

At a Council & General Assembly held by adjournment on Fryday Nov. 26th 1742.

Present in Council [as before.]

Mr. Stevens from the House bro't up his own Petition as agent for the Town of Kingston Praying an Explanation of sundry

clauses in the act Divideing the s^d^ Town into two Parishes &c. relating to sundry young men Paying their rates &c. & the vote of the House thereon for notifying the selectmen of the East Parish which s^d^ vote was concurred by the Council and assented to by his Excelency.

[P. 107.] A message from his Excelency to the House by the Secretary to read to the House a Paragraph of the Letter from the Lords Commissioners for Trade & Plantations relating to Naval Officers & receiv^rs^ of the revenue Acc^ts^ and alsoe to Desire the House would act upon the Treasurers acct^s^ that they may be Transmitted to their Lordships according to their orders.

Mr. Israel Gillman from the House bro't up the act Describing bounds for North Hill Parish which was read at the board.

Mr. Peter Gillman bro't up the Petition of Capt. John Eyre Praying a further allowance for his service in Inlisting men to goe to the West Indies in his Majesty's service & the vote of the House thereon for Dismissing the same.

Mr. Elkins bro't up from the House with a vote for the Draft of an act for the speedy & effectual calling in the remainder of the £15,000—which vote was concurred by the Council and assented to by his Excelency.

Adjourned till to-morrow 10 o'clock A. M.

At a Council & General Assembly held at Portsm° by adjournm^t^ on Saturday November 27th 1742.

Present his Excellency Benning Wentworth, Esq. Governor.

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne	Esqs	Theodore Atkinson Richd Wibird John Downing	Esqs

Mr. Peter Gillman from the House bro't up the Treasurers acc^ts^ with a vote thereon and alsoe the Bill about Brintwood Parish both which was read.

[P. 108.] The General Assembly is adjourned by his Excelency's order to Monday the 29th Curr't at 10 o'clock A. M.

November 29th 1742. Met according to adjournment—There not being a Quorum of the House—adjourned till tomorrow 10 o'clock.

November 30th 1742. Met according to adjournment.

Present in Council [as above and also] Saml Smith Esq.

The Bill appointing a Comittee &c. for the Speedy bringing in the remainder of the £15000 bro't in read and sent Down.

The Bill for ascertaining the bounds of a Piece of land taken by an Execution and rectifyng a mistake therein read.

Mr. Roby bro't up a vote for sundry allowances to Persons for service done the Province which s^d vote & acc^ts were read at the board & concurred & assented to by his Excellency.

[P. 109.] Mr. Roby alsoe bro't up from the House their vote relating to the choice of a Recorder which was nonconcurred by the Council unanimously.

The Bill for ascertaining the Bounds of North Hill Parish by the name of North Hampton read & Passed in Council & assented to by his Excellency.

The Bill to Enable the constables of Exeter to collect Prov. Tax from the Inhabitants of Brintwood Passed in Council & assented to by his Excelency.

Mr. Stevens from the House bro't up the following Papers &c. Passed on in the House, viz.

An Act in favour of Mark Hunking Wentworth for rectifying a mistake in the return of an Execution.

An act about the £15,000 appointing a Comittee &c. to call in the remainder thereof.

An act about fees fines &c.

Adjourned till tomorrow 10 o'clock A. M.

At a Council & General Assembly held at Portsm° by adjournm^t on Wednesday December the first 1742.

Present in Council [as before.]

Mr. Jenness from the House bro't up a vote of the House abo't the Hanson's money being part of the £1730 ordering the Ballance into the Treasury — which vote was concurred by the Council and assented to by his Excellency.

[P. 110.] Mr. Tod bro't up a vote of the House for the choice of a Comittee to audit Treasurer Sherburne's acc^t.

Jno. Downing carried down a vote of the Council for the choice of a Comittee for telling money and bringing the same into the House in order to its being burnt.

Mr. Gage bro't up from the House an allowance made to the widow of Thomas Pinckham on acc^t of his Enlisting in the Cuba Expedition.

Mr. Packer bro't up from the House a Bill in favour of ye 8 South Hampton men Passed in the House which was read a first part,

And also the vote of Council concurred relating to the telling of money, &c.

Capt. Wallingford bro't up a Vote of the House for excusing Constables from attending at Court &c.

Then the House adjourned till to-morrow 10 o'clock.

December 2d 1742—Met according to adjournment.

Present in Council [as before.]

Capt. Wallingford from the House with a vote of the House Impowering the Quarter Sessions to Lycense Taverns & that an act be drawn up accordingly which vote was concurred at the Council and assented to by his Excellency.

Mr. Gillman bro't up a bill relating to the Propriety of Nottingham & vote of the House for the Passing the same which was read.

[p. 111.] Mr. Elkins from the House bro't up a vote for a Bill to appoint Constables to attend the several Courts which vote was concurred by the Council and assented to by his Excelency.

Mr. Tod from the House bro't up a memorial to his Majesty relating to sundry Petitions Preferrd to his Majesty by persons inhabiting in the Massachusetts relating to the settlement of the Province Boundarys &c., as on file, with a vote of the House for Transmitting and Preferring the same which was concurred by the Council & assented to by his Excellency (1).

Adjourned till to-morrow 10 o'clock A. M.

December the 3d 1742—Met according to adjournment.

Present in Council [as before, except Saml Smith Esq.]

Mr. Stevens bro't up from the House the following Papers viz.

A Bill Excuseing Constables from attending at the several Courts.

A vote for the choice of a Comittee to examine the accts and view the work Don at Fort Wm & Mary, which was concurred at the Council & assented to by his Excelency.

Adjourned till to-morrow 10 o'clock.

December the 4th 1742—Met according to adjournment.

Present in Council [as before, also]

[p. 112.] Saml Smith, Esq.

Mr. Jennes from the House bro't up a vote for appointing a Comittee to Draw a Table of fees &c., which vote was concurrd by the Council and assented to by his Excelency. His Excelency asked the advice of his Majesty's Council weither he should grant his Warrant on the Treasury for the several sums granted by the General Assembly this sessions to which they did advise & consent.

(1) See said Memorial to his Majesty in "Journal of the House" p. 180.—Ed.

Henry Sherburne bro't into the Council Chamber four Excise Bonds signed by Stephen Pendergrass George Jaffrey & Stephen Greenleaf all Dated the 14th Day of April 1742 and filed them in the Secretary's office according to a vote of the General Assembly.

The Comittee for Telling & burning money this day reported that they received from Henry Sherburne Esq., of the Tax money for the year 1741 the sum of £269 : 12 : 7 — alsoe from sd Sherburne being money Recd by him for Land taken in Execution in the suit agst Coll Vaughans Estate the sum of £200 — this being part of the £1730 loan.

And alsoe of Mr. Speaker Wiggin the sum of £85 : 10 being so much pd by Coll John Plaisted as an arrearage of the money formerly put into his hands to exchange the old Deciphered money.

[p. 113.] A message from his Excelency by the Secy to the House to Inquire if the House had any thing to send up if not to Direct the Speaker & the House to give their attendance at the Council Chamber which was accordingly Don & the Speaker & the House came up accordingly Then the several Acts passed both Houses this Sessions were read & the seal affixed and assented to by his Excelency — and Intituled as follows, viz —

An act made & passed by the Great & Genl Court or Assembly of the Province of New Hampr held at Portsmo by adjournmt on the 25th day of November Anno Domi in 1742 to authorize and Impower the Constables of the Town of Exeter to collect & receive of the Inhabitants of the Parrish of Brintwood the several sums they are assessed by sd Town towards the Prov. Tax this Present year & for sd Brintwood joyning with the sd Town of Exeter till otherways ordred by this Court.

An act for Establishing & Confirming a Parish in the Northern part of Hampton in the Province of New Hampr agreeable to the metes & bounds herein after mentioned.

An act for correcting a mistake and amending a return of the Boundarys of a certain Tract of Land taken in Execution for the use of the Government and in the Deeds of conveyance made thereupon.

An act to Joyn three members to the Comittee for managing the business relateing to the fifteen thousand pound Loan.

An act for regulating fees, fines and forfeitures within this Province.

[p. 114.] An act to Enable the Proprietors of the Township of Nottingham in sd Province the Better to transact and carry on the affairs of sd Propriety.

An act for taking part of the Town of South Hampton in sd Province and annexing of the same to Hampton Falls.

An act Directing how the several Courts of Justice Established within this Province shall be attended by constables & how they shall be paid for their service.

An act in addition to an act Entituled an act for the Inspecting and suppressing of Disorders in Lycensed Houses.

Then his Excelency ordered the Secretary to Prorogue the General Assembly to the 10th day of May next at 10 o'clock in the forenoon then to meet at Portsmouth.

Here follows sundry Votes that passed thro' the General Court the last sessions & were not Included in any act or Law of the Province viz.

In the House of Representatives Sep. 18, 1742.

Voted there be given five pounds in Bills of Credit of this Province Equal in value to Bills of Cred^{t} of the old Tenour as a bounty to every able bodied man of this Province not exceeding [P. 115.] one hundred men that shall inlist themselves into his Majesty's service under the comand of Capt. Winslow for the West Indies the s^{d} five pounds bounty to be paid Imediately when Embarqued.

And for payment of the s^{d} five pounds,

Voted That it be paid out of the Bills of Cred^{t} last Emitted and Lodged in the Treasury for contingent Payments.

James Jeffrey Cler. Assm.

Prov. of N. Hamp^{r}.

In Council Septr 18th 1742.

The within vote read & concurred

Theo. Atkinson, Sec^{y}.

Eodem Die. Assented to

B. Wentworth.

In the House of Represents Sept. ye 18th 1742.

Voted That provided there be in the Treasury any money of the Excise That his Excelency have Liberty of Drawing the same out any Time between this & the Twelfth day of December next as much as will compleat his years sallary including what he has allready rec^{d}.

James Jeffrey Cler. Assem.

In Council September 18th 1742, read and concurr'd.

Theod. Atkinson.

Eodem Die. Assented to

B. Wentworth.

[P. 116.] Province of New Hamp^{r}.

In Council, Septemb^{r} 18th 1742.

Voted, That the Bonds given for the security of the Payment for Excise & all money rec^{d} from the Excise master now in the custody of the Honble Henry Sherburn, Esq. be Delivered to the Honble George Jaffrey Esq. Province Treasurer & that the s^{d} Henry Sherburn, Esq. Take a rec^{t} from the s^{d} Jaffrey for the same.

Theo. Atkinson, Sec^{y}.

In the House of Represent^s Sept. 18th 1742.

The above read and concurr'd with this amendm^t That as the Treasurer is a Bondsman for the Excise master that the Bonds be lodged with the Sec^y.

James Jeffrey Cler. Assm.

Eodem Die. The Houses' vote read & concurr'd.

Theod. Atkinson Sec^y.

Eodem Die. Assented to.

B. Wentworth.

In the House of Represent^s Nov. 19th 1742.

Voted That Samuel Gillman Esq. be a Comittee of this House to joyn such as the Honble the Council shall appoint to advise with a lawyer and Draw up a Table of fees for all offices & officers fines & forfeitures to be taken & rec^d in this Province according to the late Emission of Bills of Cred^t and make their return to the General Assembly as soon as Possible.

James Jeffrey Cler. Assm.

[p. 117.] Province of New Hamp^r Eodem Die.

In Council the above vote read & concurr'd & Richd Wibird Esq. added to the Comittee.

Theod. Atkinson, Sec^y.

Prov. of New Hamp^r Nov. 19th 1742 assented to.

B. Wentworth.

In the House of Represen^ts Nov. the 27th 1742.

Whereas there was several accompts sent up yesterday allowed to be paid out of the Publick Treasury, viz:

	Old Ten^r	in New Ten^r
To Theo. Atkinson, Esq.	£20: 10:	£5: 2: 6
To Mary Ayer for victualing Indians	9: 6: 6	2: 6: 7 1-2
To Henry Sherburne jun. for books	12: 10:	3: 2: 6
To James Jeffrey for Plans	20:	5:
To Henry Sherburne, Joseph Sherburne, George Walton & Richd Jenness Esqs. farming the Excise in 1742.	6:	1: 10:
	£68: 6: 6	£17: 1: 7 1-2

In which s^d votes it is not expressed out of what Fund in the Treasury the same shall be paid,

Wherefore Voted That the s^d several acc^ts be paid out of the money in the Treasury for paym^t of contingencys.

James Jeffrey, Cler. Assem.

In Council Nov. 30th 1742, Read & concurrd.

Theod. Atkinson, Secy.

Eodem Die Assented to

B. Wentworth.

In the House of Represents Nov. 30th 1742.

Memo there was Burnt in the Assembly April the 3d 1742 of the Hansons money	£155: 10
Mr. Treasurer Sherburn recd pt of yt money	44: 10
Paid for Exchg £155 10 at one per ct.	7: 16
There was put into Mr. Speakers hands now bro't into the Assembly	62: 18
	£270 14

[p. 118.] Copy as it was Entered in the minits of the House of Represents.

James Jeffrey, Cler. Assem.

Eodem Die. In the House of Represents, Voted, That Mr. Speaker Wiggin pay the above sixty two pounds eighteen shillings into the Treasury taking the Treasurers rect for the same for his Discharge.

James Jeffrey, Cler. Assem.

In Council December 1, 1742. The above vote of the House read & concurr'd.

Theod. Atkinson Secy.

Eodem Die assented to B. Wentworth.

Province of N. Hampr.

In Council December the first 1742.

Voted That Messrs Richd Wibird & Saml Smith Esqs be of a comittee of this Board to joyne with such as shall be chosen by the Honble the House of Representatives for telling over and bringing into the General Assembly all such money as hath been recd in order to the same being burnt & that they make a report of what sum they shall receive from the several Persons in whose hands the same now is.

Theod. Atkinson, Secy.

Eodem Die In the House of Represents.

The above vote of the Council read & concurred & Voted that Messrs Jotham Odiorne & Maj. Peter Gillman be a comittee of this House to joyn the above Comittee for the servce therein mentioned.

James Jeffrey, Cler. Assem.

Prov. N. Hampr Decembr 2d 1742. The within vote of Assembly assented to.

B. Wentworth.

[p. 119.] Whereas the Wid^{o} of Thomas Pinckham late of Dover in the Province of New Hamp^{r} complains That her late Husband did inlist himself in his Majesty's service for the late Cuba Expedition and several of the members of the House say there was allowed him the s^{d} Thomas Pinckham the sum of two pounds fourteen shillings for his subsistence money in that service which was never paid him nor her—Wherefore Voted That the s^{d} Widow be paid out of the money in the Treasury for payment of contingencies the s^{d} sum of two Pounds fourteen shillings old Tenour in full of all demands.

James Jeffrey, Cler. Assm.

Prov. N. Hamp^{r}. In Council December 2^{d} 1742 read & concurrd.

Theo. Atkinson, Sec^{y}.

Eodem Die assented to B. Wentworth.

In the House of Represent Decemb^{r} 3^{d} 1742.

Whereas there is two Acc^{ts} bro't into the House the one of s^{d} acc^{ts} is signed by Ellis Huske Esq. as a Council-man for laying out the money advanced for the repair of Fort William & Mary, the other signed by Joseph Sherburne Esq. Dated the 24th Feby 1741 as another of s^{d} comittee for the same service,

Both which s^{d} acc^{ts} this House thinks very unreasonable & extravagant in most of the articles,

Therefore the House cannot think fit to allow them as they stand & for further satisfaction in the affair, Voted That Jotham Odiorne be of this House to join such as the Honble the Council shall appoint to goe Down to the Fort in the recess of the assembly & view what has been done and make a strict Inquiry into [p. 120.] what has been done, and likewise of the Expense and then to audit the acc^{ts} & receive what is Due & pay it unto his Excelency for the further repair of the s^{d} fort & make return of their Doings thereon to the General Assembly by next Sessions.

James Jeffrey, Cler. Assm.

In Council Eodem Die read & concurrd & Richard Wibird Esq. added to the Comittee.

Theod. Atkinson, Sec^{y}.

Eodem Die assented to B. Wentworth.

In the House of Represent^{s} December 4th 1742.

Whereas his Excelency By a message to this House on the 3^{d} of December curr^{t} Desireing to be Enabled to draw out of the Treasury his half years Salary after the 12th of December curr^{t} which does not become due till the 12th day of June next

Voted That his Excellency Benning Wentworth Esq. have lib-

erty to draw out of the Publick Treasury after the 12th day of this inst. December his half years sallary being one hundred twenty five pounds which by Law becomes due on the 12th Day of June next, and if there should not be enough of the Excise money in the Treasury which is appropriated to pay his Excelencys sallary at that time That then the Treasurer shall have liberty to pay what shall be wanting to compleat the sd half years salary out of the money which is put into the Treasury to make good the Deficiency of what shall be wanting of the Excise money to make good his Excelency sallary & that when the money due for Excise [p. 121.] shall be paid into the Treasury That so much of that money as the Treasurer shall pay to his Excelency out of the aforesd appropriation for making good Deficiencies shall lay in the Treasury in Lieu of what the Treasurer shall pay of sd appropriation.

James Jeffrey, Cler. Assm.

In Council Eodem Die, Read & concurr'd

Theo. Atkinson, Secy.

Eodem Die Assented to B. Wentworth.

In the House of Represents Decembr 4th 1742.

Voted That Messrs Jotham Odiorne & Hunking Wentworth be a Comittee of this House to joyn such as the Honble the Council shall appoint to adjust the late Treasurer Sherburn's Accounts in the recess of the Assembly agreeable to the votes passed in the General Assembly & Transmit them to his Excelency to be sent home.

James Jeffrey, Cler. Assm.

Eodem Die In Council read & concurr'd & George Jaffrey Esq. & Richd Wibird Esq. added to the Comittee.

Theod. Atkinson, Secy.

Prov. N. Hampr December 4th 1742.

Assented to B. Wentworth.

[p. 122.] In the House of Represents December 4th 1742.

Voted That Samuel Gillman Esq. be of this House to joyn such as the Honble the Council shall appoint to draw up a new Table of fees, fines & forfeitures in the recess of the assembly according to the act made and passed this sessions and that they take what advise they think fit and present the same to the Genl Assembly next sessions.

James Jeffrey, Cler. Assm.

In Council December 4th 1742 read & concurr'd & Richd Wibird Esq. added to the Comittee abovesd.

Theod. Atkinson, Secy.

Eodem Die Assented to B. Wentworth.

December the 4th 1742, In the House of Representatives.

Voted That the Secretary is hereby Directed that as often as the Excise master Stephen Pendergrast shall pay any money in Part of his Bonds that the same be Endorsed thereon & when fully Paid the Bonds delivered up.

James Jeffrey, Cler. Assm.

Eodem Die In Council read & concurr'd.

Theod. Atkinson, Secy.

Eodem Die Assented to B. Wentworth.

The End of the 3d Sessions.

[p. 123.] Province of New Hampshire.

Anno Regni Regis Georgii Secundi Magnæ Brittaniæ, Franciæ et Hibernæ, Decimo Sexto.

At a General Assembly begun and holden at Portsmouth in the Province aforesd on Tuesday May the 10th 1743 — By Prorogation from the 3d day (1) of December 1742 — it being the fourth Sessions of the Present Assembly.

Present in Council

His Excelency Benning Wentworth Esq. Governor.

George Jaffrey Jotham Odiorne Joseph Sherburne Ellis Huske	Esqs.	Theodore Atkinson Saml Smith John Downing Saml Solley	Esqs.

A message from his Excellency by the Secy to the House to Direct the Speaker & the House to give their attendance in the Council Chamber. Accordingly the Speaker and the House came up & being admitted his Excelency made a speech to both Houses as follows, viz.

Speech of Gov. Benning Wentworth May 10, 1743.

Gent of the Council and of the Assembly

[p. 124.] As nothing can have a greater tendency to advance the Publick Interest than a good agreemt between every Branch of the Legislative Power so nothing can tend more to weaken a Community than Jealosies, annimosities & misunderstandings whenever they arise. It was my early care to prevent anything of this nature, and you are and will be witnesses for me, That it shall be my constant Practice to discountenance even the least appearance thereof; To see such a disposition spreading itself thro' the whole business of this Sessions will give me a sensible pleasure & afford minds thro'ly attached to the Publick Weale the greatest satisfaction.

You are sensible that the Provincial Records have been shut up for some months, tho' contrary to my sentiments. The first thing therefore that I

(1) 4th Day ?

would recomend to you is, that you make choice of a proper person to fill that office, one that may be in every respect agreeable to the People, and to whom I can have no objection. During the vacancy in that office the Records papers & things belonging thereto have by my orders been under the care of the Secretary to whom I shall give directions to deliver them to the proper officer, when chosen and duly Qualified.

Gent of the Assembly,

The several acts being Expended by which former Emissions of paper currency was Issued, and the Respective sums being fully called into the Publick Treasury by the last years Tax, I would recomend a nice Enquiry into the state of each Fund that you may be fully satisfied whether there will be a de- [P. 125.] ficiency or surplusage in any of them, and that the true State thereof may be laid before the Genl Assem for Publick satisfaction. For this end I have some time past with the advice of his Majesty's Council Issued a Proclamation informing the Publick that there was a Provision in the Treasury for exchanging all money of the old Tenor and if that Fund should fall short, that there would be a farther Provision made at your present sitting.

It is his Majesty's positive Instruction that I do with all convenient speed transmit to him by one of his Prineipall Secys of State, and to the Right Honble the Lords Comissers for trade & Plantations, an exact Survey or map of the Province with the Respective Towns and their contents of Lands, which I could not so effectually pay obedience to until I had your assistance, nor until a way was made from the northern part of Merrymack to Connecticut River. The latter I have ordered an Inquiry into, and have Imployed proper p'sons to search out the nearest and most convenient place to cut such a Road in; when I have their return it shall be laid before you in order to make provision for defraying any small charge that may arise thereon.

In providing for the officers of the governmt I recomend to you, that each officers sallary may commence on the 25th of March, June or Septr or at Christmas, on either of those Quar days that may be found most convenient; hereby your Public accompts will be more easily examined & less subject to mistakes.

The Report of the Right Honble the Lords Comissrs for Trade and Plantations, on three of your Publick Acts, I shall order the Secy to lay before you, by which you will observe that their Lordships could not lay the Loan Bill before his Majty, it being contrary to the Instructions given his governmt. [P. 126.] Notwithstanding their Lordships have represented the attendance of the Principal Merchants trading to this Province to his Majtie from which & from the many Publick things that are to be effected by that Bill greatly advantageousness to the governmt, I am hopeing it will not finally miscarry.

You are sensible, Gent, That by this Bills not being hitherto approved by his Majtie I am prevented from receiving one half of my sallary which I have hitherto deferred the taking notice of, But from the great Rise of all manner of Provisions and necessaries for my support since the Acts of settlmt, and the deficiencie in that part of my sallary, I am under a necessity to do it at this time, not doubting but in obedience to his Majtie that the Honr & Dignity of the governmt may be supported, and from the justness of my Request you will think it reasonable to make a present provision for my support.

Mr. Agent Thomlinson writes me on your Petition to his Majesty for stores, and on your Loan Bill, a Parragraph of whose Letter relating thereto the Secy will lay before you.

I have directed the Treasurer to prepare his accompts which he will also lay before you, and I hope they will come in such order as to take up less of your time than the late Treasurer's have done, who in defiance of all Resolves of Genl Assm has not furnished me with his accompts to this day; It is there- [P. 127.] fore your imediate care & I now press it upon you, that I am forthwith furnished therewith that I may transmit them in conformity to his Majties Instructions which hitherto I have not been able to do.

Gentlemen of the Assembly

The several districts to the northward of Mitchell's & Hazen's Lines were Taxed to the Province the last year, But as that act is now Expired it is

necessary to renew it by a new Act, and as many of the Inhabitants on ye King's Lands not incorporated into Townships by the authority of this governm^t are Laboring under Difficulties & disadvantages for want of Laws to Enable them to collect their Ministerial & other Taxes, I recomend it as a thing worthy your consideration, that some Law may be calculated to releive them under their present Difficulties and to preserve peace and good order in that part of this government.

B. WENTWORTH.

Council Chamber,
Portsm^o the 10th May 1743.

Of which speech the Speaker & House desired a copy and then withdrew.

The Secretary by his Excelencys order cary'd down to the House a copy of his Excelency's speech and the Report of the Lords of Trade to his Majesty upon the money Bills sent home the last year and alsoe a Paragraph of a Letter from Mr. Agent [p. 128.] Tomlinson relating to this governments Memorial to his Majesty for stores for the Fort Wm & Mary and left them with the House.

Adjourned till tomorrow 10 o'clock A. M.

[The following appears to be the Report of the Lords of Trade referred to above. The Paragraph of Mr. Thomlinson's letter is not found, but instead thereof, see Report of the Lords Committee &c., in "Journal of the House"—p. 188.]—ED.

His Majestys Royal Orders in Council approving of certain Acts passed by the Assembly of New Hampshire.

[Copied from MS. Vol. in Secretary's office labeled "Addresses to the King."—pp. 142–147.]

At the Court at St. James the 23^d day of March 1742–3.

Present

The Kings Most Excellent Majesty.

Arch Bishop of Canterbury	Earl Fitzwalter
Lord President	Earl of Bath
Lord Privy Seal	Lord Carteret
Lord Chamberlain	Lord Cornwallis
Duke of Bolton	Mr. Vice Chamberlain
Duke of Montague	Mr. Chancellor of the Exchequer
Duke of Athol	Sir William Yonge
Duke of New Castle	Sir John Norris
Marquis of Trovedale	Thomas Winnington Esq.
Earl of Abercorn	

Whereas the Governor and Commander in chief of his Majesty's Province of New Hampshire, with the Council and Assembly of the said Province, did in April 1742 Pass an Act, which hath been transmitted, intituled as follows, viz.

An act for granting unto his Majesty the sum of Two Hundred and Fifty pounds Proclamation Money or in Bills of Credit on this Province, equivalent thereunto, towards the support of his Governor here,

And Whereas the said Act together with a representation from the Lords Commissioners for Trade and Plantations thereupon, have been referred to the consideration of a Committee of his Majestys most Honorable Privy Council for Plantation affairs, the said Lords of the Committee did this day Report their opinion to his Majesty, that the said Act was proper to be approved—His Majesty in Council taking the same into consideration was graciously pleased to Declare his approbation of the Said Act and pursuant to his Majestys Royal Pleasure thereupon expressed, the Said Act is hereby confirmed, finally enacted and Ratified accordingly—Whereof the Governor or Commander in chief of his Majestys Province of New Hampshire for the time being, and all others whom it may concern are to take notice and govern themselves accordingly.

W. SHARPE.

At the Council Chamber Whitehall the 2d day of June 1743.

Present

Their Excellencys the Lords Justices

Arch Bishop of Canterbury	Lord President
Lord Chancellor	Earl of Cholmondely
Lord Steward	Earl of Abercorn
Duke of Devonshire	Lord Monson
Duke of Montague	Mr. Chancellor of the Exchequor
Marquis of Tweedale	Sir William Yonge
Earl of Winchester	Sir John Norris
Earl of Wilmington	General Wade.
Earl of Bath	

Whereas the Governor and Commander in Chief of his Majestys Province of New Hampshire with the Council and Assembly of the said Province did in April 1742 pass three Acts which have been transmitted intituled as follows, viz.

An act for granting unto his most excellent Majesty the sum of Four thousand seven hundred and Twenty pounds in Bills of Credit on this Province equal to so much Proclamation money for supplying the Treasury for discharging the Public Debts and for other purposes in this Act hereafter mentioned, and for appropriating and drawing in of the Said Bills into the Treasury again,

An act ascertaining the value of Money and of the Bills of Public Credit of this Province granted this present year for the supply of the Treasury and for the securing the Credit of said Bills,

An act for Emitting the sum of Twenty five thousand Pounds in Bills of Credit on this Province equal to so much Proclamation Money upon Loan, and for granting to his Majesty the Interest that shall arise thereby for the purposes in the said act mentioned

And whereas the said Acts together with a Representation from the Lords Commissioners for Trade and Plantations thereupon, have been referred to the consideration of a Committee of his Majestys most Honorable Privy Council in Plantation affairs—The said Lords of the Committee did this day Report their opinion to their Excellencys, that the said Acts were proper to be approved—Their Excellencys the Lord's Justices taking the same into consideration, were pleased with the advice of his Majestys Privy Council to Declare their approbation of the said Acts, and pursuant to their Excellencys pleasure thereupon Expressed, the said Acts are hereby confirmed, finally Enacted and Ratified accordingly—Whereof the Governor or Commander in Chief of his Majestys Province of New Hampshire for the time being and all others whom it may concern, are to take notice and to govern themselves accordingly.

W. SHARP.

At a General Assembly holden at Portsmouth by adjournment on Wednesday May 11th 1743.

Present in Council

George Jaffrey Jotham Odiorne Joseph Sherburne Ellis Huske	Esqs.	Theod. Atkinson, Samⁱ Smith John Downing Samⁱ Solly	Esqs.

A message by the Secy from the President & Council to the House to Enquire if any thing would come up to the Board today — who recd for answer that there would be nothing ready.

Adjourned till tomorrow 10 o'clock A. M.

May 12th 1743 — Met according to adjournment.

Present — [as before.]

Adjourned till tomorrow 10 o'clock A. M.

[P. 129.] May 13th, 1743 — Met according to adjournment.

Present [as before.]

The Petition of Thomas Willee and about sixty others of Durham & Dover Praying to be made a Parish by metes & Bounds as mentioned in sd Petition — read & send Down to the House by John Downing Esq.

Mr. Stevens from the House bro't a vote of the House for the choice of a Recorder of Deeds within this Province which was read & Laid on the table.

The Petition of Thomas Willee & others as Entred this day with the vote of the House thereon (sent up by Mr. Thompson) for notifying the Towns of Dover & Durham to appear & shew cause if any they have why the Prayer thereof may not be granted.

A Petition of Thomas Hains & sundry others in North Hampton Praying to be poll'd off to Hampton — read & sent down to the House.

The Council sent a written message to the House in answer to the House vote of this day in relation to the choice of a recorder of Deeds &c. by Joseph Sherburne & Samuel Solly, Esqs.

Adjourned till to-morrow 10 o'clock A. M.

[P. 130.] At a Council & General Assembly held at Portsm° by adjournment on Saturday May the 16th 1763.

Present—his Excellency Benning Wentworth, Esq., Governour.

George Jaffrey	Esqs	Theodore Atkinson	Esqs
Jotham Odiorne		Saml Smith	
Joseph Sherburne		John Downing	
Ellis Huske		Saml Solly	

His Excellency laid before the Board the answer of the House of Represent^s to his Excellency's Speech of the 10th Inst. which was read at the board & is as follows, viz.

The Answer of the House of Representatives to his Excellency's Speech of the 10 of May Curr^t.

May it Please your Excellency

We the Representatives of his Majestys Province of New Hampshire convened in General Assembly observe the several Paragraphs of your Excelencys Speech at the opening of the present sessions & beg leave to make the following answer:

We are not insensible (as we trust) of what your Excelency was Pleased in the first place to suggest to us (viz.) the great importance of keeping up a becoming harmony between the several Parts of the Legislature when it can be justly Preserved and shall do every thing in our power in order to it as we [P. 131.] shall not take up any groundless surmises as to the other Branches nor run into any needless Disputes so we shall take care to give no occasion to either of them to Entertain any Jealosies & animosities as to ourselves.

As to the choosing a fit person for a recorder of Deeds for this Province (and safe keeping of the same) we shall do our Endeavors that such a one may be appointed to that important office that is every way Qualified for it one whom we think agreeable to the People whom we represent & against whom your Excelency can have nothing to object. With respect to what is recommended to us relating to the expiration of the acts of this Government upon which our Paper currency of the old Tennor was established we shall make a strict inquiry into and as soon as we know the state of the Government on those heads, shall be ready to Do our part in every respect that may be conducive to the Hon^r & interest of the same.

As to what your Excelency is pleased to mention in the next place of our affording you our assistance in Paying obedience to his Majes^tys Instructions in Transmitting an Exact Survey of the Province in doing what is needful to defray the charge of making a way from the Northern part of Merrimack to Connecticut river, the consideration of which we must suspend until we have the result of our Loan Bill wherein Provision is made for cutting High ways.

Your Excelencys Proposal of Paying the officers of the Government their [P. 132.] Sallarys Quarterly seems to be clogged with some difficulties by reason Provision is already made in part by an act already past & without repeal of that act they cannot well be put upon equal footing: However we shall think deliberately upon this—as alsoe that you mention as to the former Treasurers Accounts which we acknowledge has taken up much of the Assemblys time, and is greatly to our surprise that your Excellency has not rec^d them completed long since. We tho't we had done every thing in our power heretofore but if any thing remains we shall still be ready to forward every thing in our Part that so an affair of such Importance may be no longer delayed.

We thank your Excellency for the Perusal of the report of the right Honble the Lords of Trade and Plantations on three of our late acts and what Agent Thomlinson has wrote your Excelency relating our Petition to his Majesty for stores send down by the Secretary.

And as to what your Excelency was pleased to mention with respect to your support in the Government and to any Law needful to be made for the new Taxing of the several Districts to the Northward of Mitchells & Hazzen's Line & for the relieving any that are not yet incorporated into Districts as to the Inconveniencys and difficulties they by these means labor under we shall act in all these things and what shall come before us—we shall judge will be most for the Hon^{r} of his Majesty and the Prosperity of his good subjects whom we represent.

May 14th 1743. And^{w} Wiggin Speaker.

[P. 133.] His Excelency also Laid before the board the Powder act of this Province & Demanded the oppinion of the Council weither the money or Powder rec^{d} by virtue thereof could be applyed to any other use than those mentioned in s^{d} act—namely for supply of his Majestys forts & fortifications within this Province.

To which the Council unanimously gave their oppinion that Legally it could not.

His Excelency alsoe laid before the board Henry Sherburn Esq. his acc^{t} (as receiver of Powder) in which there are several articles of Comissions charged in the whole acc^{t} amounting to £107 : 0 : 11 and

Demanded of the Council weither those articles of Comissions as charged in the s^{d} acc^{t} is not a misapplication of the money raised by virtue of the s^{d} Powder act.

To which the Council answered that it was a misapplication of the money according to the Intent of s^{d} Law.

Mr. Stevens from the House bro't up the House's answer to the written Mess^{a} from the Council about the choice of a recorder of yesterday which was read & laid on the Table(1).

Alsoe Mr. Treasurer Sherburnes acc^{t} & votes of the House thereon for accepting the return of the Comittee of audit which acc^{t} & votes were read at the board & concurr'd and assented to by the Govern^{r} the Ballance in favour of the Province as pr the acc^{t} on file £122 : 9 : 6.

A message from his Excelency by the Secretary to adjourn the General Assembly to Monday the 23^{d} Inst. at 10 o'clock. A. M.

Accordingly they were adjourned.

[P. 134.] At a Council & General Assembly holden at Portsm^{o} on Monday May the 23^{d} 1743 by adjournment from the 14th of s^{d} May.

Present

His Excelency Benning Wentworth, Esq. Governor.

George Jaffrey	Esqs.	Theod. Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Joseph Sherburne		Saml Smith	
Ellis Huske		John Downing	
Henry Sherburne		Saml Solly	

(There not being a Quorum of the House) adjourned till tomorrow 10 o'clock.

(1) See this answer in "Journal of the House," p. 191.—Ed,

May the 24th 1743. Met according to adjournment.

Present [as before.]

Mr. Stevens from the House bro't up a written message to the Council relateing to the choice of a recorder, which was read & laid on the Table.

And alsoe a vote of the House appointing a Comittee to Draw up an act Enabling the Inhabitants to the Northward of Mitchells Line that are not within any Township to assess themselves.

[P. 135.] And alsoe a vote of the House for a Comittee to Draw an act Enabling the Towns &c. in this Government to chuse constables & other Town officers at any meeting regularly called as well as at the annual meeting.

And alsoe a Petition of Richard Hilton Esq. Praying he might be Enabled to have a hearing of a case before the Court of Appeals which dropt through at that Court without Trying the merits and a vote of the House thereon to notify the adverse party to shew cause why the Prayer of the Petition should not be granted which sd vote was concurr'd by the Council and assented to by his Excelency.

Adjourned till tomorrow 10 o'clock A. M.

May the 25th 1743. Met according to adjournment.

Present [as before.]

The Petition of Benja Baker & John Page Praying to be Poll'd off to Hampton Falls from South Hampton bro't up from the House by Mr. Jeffrey with the vote of the House thereon for Dismissing the same.

[P. 136.] A Petition of Paul Wentworth Esq. & others Inhabitants of the Parish of Somersworth Praying for Town Priviledges &c. read & sent down by the Secretary.

Adjourned till tomorrow 10 o'clock.

May the 26th 1743. Met according to adjournment.

Present [as before.]

The Clerk of the Assembly bro't up from the House a written message to the Council about the choice of a recorder.

And alsoe the Petition of the Selectmen of Chester praying a Highway might be laid out to Londonderry which was read at the Board & then

Adjourned till tomorrow morning 10 o'clock, A. M.

May the 27th 1743. Met according to adjournment.

Present [as before.]

[P. 137.] A Petition of Thomas Willie & others Praying a Parish in Dover with the vote of the House thereon for notifying the Town of Dover & Durham, of the 13th Inst. which was read & concurr'd.

A petition of Richard Perry a soldier at the Fort Wm. & Mary Praying wages for his son &c. read & sent down.

A Petition of John Buttler & others Inhabitants of a Place called Nottingham for Town Buildings &c. read & sent down.

A Messa by Mr. Gillman & Tod from the House with the Petition of Andrew Gillman & others about the Parish of Brintwood with the vote of the House thereon for Dismissing the sd Petition of the 24th Inst. which sd vote was recomended to the House for a reconsideration yesterday—The message as follows, viz. That the House had not acted any thing upon the sd vote they apprehending the Comittees return in that affair was not agreeable to the act that appointed them.

Mr. Wibird & the Secy sent to the House with a verball Messa from the Council in answer to the Houses' Messa about a recorder —on file.

Adjourned till tomorrow morning 10 o'clock.

May the 28th 1743. Met according to adjournment.

[P. 138.] Present [as before.]

Vote of the House for a Comittee to farm the Excise bro't up by Capt. Gage read at the board.

The Petition of Richd Perry Praying for wages for his son as a soldier at Fort Wm & Mary & a vote of the House thereon allowing £75 old Tenr for his service—Bro't up by Mr. Thompson.

Mr. Israel Gillman from the House bro't up a written messa to the Council relateing to the choice of a recorder which was read at the board & laid on the Table.

Adjourned by his Excelencys comand till Monday next at 4 o'clock P. M.

At a Council & General Assembly holden at Portsmo according to adjournment on Monday May the 30th 1743.

Present

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne Ellis Huske	Esqs.	Theodore Atkinson Richd Wibird John Downing Saml Solly	Esqs.

There not being a Quorum of the House Adjourned till to morrow 10 of the clock A. M.

[P. 139.] May the 31st 1743. Met according to adjournment.

Present [as before, also]

Saml Smith Esq.

Petition of Daniel Warner Esq. & other Traders Praying Liberty to Bring in a Bill for ascertaining the sizes of Lumber bo't & sold within this Province which was read & recomended & sent Down to the House by Mr. Solly.

Mr. Jennes from the House bro't up a vote for a Comittee to tell the money to be burnt this Sessions which vote was concurr'd by the Council & a Comittee added & assented to by his Excelency the Governr.

And alsoe a vote of the House for the choice of a Comittee to farm the Excise which was read & concurr'd & a Comittee added and assented to by his Excelency ye Governr.

The vote of the House on the Petition of Richd Perry bro't up the 28th Inst concurr'd at the Board.

Mr. Walton Bro't up from the House a vote for the choice of a Comittee of Auditt on the Treasurers & all other accts bro't in this sessions which was concurr'd at the Board & a Comittee added & assented to by his Excelency the Governor.

[P. 140.] Mr. Gillman from the House bro't up the Petition of Daniel Warner & others as entered this day & the vote of the House thereon granting the Prayer thereof which was read at the board & concurr'd & assented to by his Excelency the Governr.

A message to the House by the Secy from the Council to acquaint them that the several votes of the House were concurr'd viz. The vote for appointing a Comittee to tell money.

A vote for the Comittee of Auditts on the Treasurer & other acts.

The vote on the Petition Daniel Warren Esq. & others granting Liberty to bring in a Bill.

The vote for appointing a Comittee to farm the Excise upon Liquors

And to acquaint the House that the Board had added on their part the several Comittees to the sd votes —

And alsoe to acquaint the House that the Council could by no means consent to the choice of a recorder in the method proposed by the House in their last message nor in the other part of the sd message.

And alsoe a message from his Excelency the Governour to advise the House to proceed to the nomination of a recorder that the records may be no longer shut up — which was accordingly delivered to the House.

Adjourned till to morrow morning 10 o'clock before noon.

[P. 141.] June 1, 1743. Met according to adjournment.

Present [as before.]

Mr. Tod from the House bro't up a written message in answer to the Councils mess^a of yesterday relateing to the Records of Deeds — which was read at the Board & laid on the Table.

Mr. Fowle from the House bro't up the acc^t of John Gage Esq. & vote of the House thereon for paing for Blankets given by his Excelencys orders to Two Indians which vote was concurr'd at the Board.

Adjourned till to morrow 10 o'clock A. M.

June the 2^d 1743. Met according to adjournment.

Present his Excelency Benning Wentworth Esq. Govr.

George Jaffrey	Esqs.	Theod. Atkinson	Esqs.
Jotham Odiorne		Saml Smith	
Henry Sherburne		John Downing	
Joseph Sherburne		Saml Solly	
Ellis Huske			

[P. 142.] Mr. Thompson from the House bro't up the Petition of George Peirce &c. Praying Liberty to Bring in a Bill granting the Petitioners leave to hang gates cross a Highway in Portsm° with a vote of the House to notify the Selectmen of Portsm° to shew reason why the Prayer may not be granted — which vote was concurr'd by the Council and assented to by the Governour.

And Alsoe the Petition of Wm. Parker as attorney to Mr. Macgregore Praying a Bill might be passed Enabling the Superiour Court of Judicature to enter a Judgment which was *slipt* at the s^d Court in their last term & vote of the House thereon which was concurr'd by the board and assented to by his Excelency.

Adjourned till to morrow 10 o'clock A. M.

Fryday June the 3^d 1743. Met according to adjournment.

Present [as before.]

A message to the House from the Council by Messrs Joseph Sherburne & Samuel Solly Esqs. relating to a recorder — and then

[P. 143.] Adjourned till to morrow morning 10 o'clock, A. M.

Saturday June the 4th 1743. Met according to adjournment.

Present [as before.]

Mr. Jennes from the House bro't up the Comittees acc^t for calculating a Table of fees, fines &c. & a vote of the House thereon

for allowing the same which Read at the board & ordered to lay for further consideration.

And also a vote of the House for the choice of a Comittee to Treat with a Comittee of Council about a method for choosing a recorder which vote being read the Council appointed George Jaffrey Theodore Atkinson Sam[l] Smith & John Downing Esqs. to treat with the s[d] Comittee — who accordingly Did meet but made report that they could not agree upon any fixed method.

A mess[a] from his Excelency to the House by the Secretary to ask the Speaker & the House weither they would Proceed to the choice of a recorder according to the usage & custom of the [P. 144.] Province heretofore in Practice & to desire their Peremtory answer — which Mess[a] was accordingly Delivered.

A message by Mr. Gillman & Stevens in answer to his Excelencys message of this Day by the Secretary about the choice of a Recorder, viz — That the House was ready to proceed to such choice in the way the House had proposed.

Then the General Court was adjourned by his Excelencys order to Monday the 6th Inst to meet at Portsm[o] at 10 o'clock A. M.

Monday the 6th day of June 1743. Met according to adjournment.

Present [as before except his Excelency Benning Wentworth.]

There not being a Quorum of the House, adjourned till to morrow 10 o'clock A. M.

Tuesday the 7th Day of June 1743. Met according to adjournment.

Present — His Excelency Benning Wentworth, Esq. Gov[r].

[P. 145.] George Jaffrey, Jotham Odiorne, Joseph Sherburne, Ellis Huske } Esqs. Theodore Atkinson, Sam[l] Smith, John Downing, Sam[l] Solly } Esqs.

His Excelency sent the Secretary to the House with a written Mess[a] & ordred the Secretary to acquaint them that he did not expect a written answer his sole intent was to urge them to Proceed to the transacting the Business therein recomended — who returned that he had Delivered the message.

Adjourned till to morrow 10 o'clock A. M.

Wednesday June the 8th 1743. Met according to adjournment.

Present [as before, also]

Henry Sherburne, Esq.

Mr. Israel Gillman from the House bro't up an act Passed in the House this day Entituled *an Act in addition to* & for rendring more Effectual an Act for regulating Townships choice of Town officers & setting forth their Power.

[P. 146.] And alsoe the Comittees acc^t for getting the money made & signed &c. according to the act of the 3d April 1742.

His Excelency sent the Secretary to the House to Enquire weither any thing would be sent up who returned that the Speaker said nothing would be ready.

Adjourned till to morrow 10 o'clock.

Thursday June the 9th 1743. Met according to adjournment.

Present [as before, except]

His Exy Benning Wentworth & Saml Solly Esq.

Mr. Walton from the House bro't up the Petition of Wm Parker Esq., in behalf of Alexander McGregore as Entered the 2d Inst. with the vote of the House thereon granting the Prayer thereof.

And also the Petition of Richd Hilton Esq. Praying a rehearing of the case &c. as Entered the 3d of May Last with the vote of the House thereon—granting the Prayer thereof

His Excelency sent a message to the House by the Secretary to Desire they would give him a positive answer weither they would proceed to the choice of a Recorder of Deeds & that they would let him know their Determination Imediately.

[P. 147.] His Excelency sent the Secretary again to the House to Enquire of the Speaker weither he might Expect an answer to his message send down this morning about the choice of a recorder

Mr. Israel Gillman bro't up the House's answer to his Excelencys Messa as above as on file—adhering to their former votes—then his Excelency adjourned the General Assembly to Monday the 20th Inst then to meet at Portsmo at 10 o'clock A. M

At a Council & General Assembly holden at Portsmo by adjournment on Monday the 20th Day of June 1743.

Present [as before, also]

Saml Solly Esq.

There not being a Quorum of the House, adjourned till tomorrow morning at 10 o'clock.

Tuesday the 21 Day of June 1743 — Met according to adjournment.

[P. 148.] Present [as before.]

Nothing lying before the Board the Council adjourned till to-morrow 10 o'clock A. M.

Wednesday June 22d 1742 — Met according to adjournment.

Present his Excelency B. Wentworth Esq. Govr.

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne Ellis Huske	Esqs.	Theodore Atkinson Saml Smith Saml Solly	Esqs.

His Excelency sent the Secretary to the House to ask if any thing would be sent up to the Council to-day who returned that the Speaker said it was uncertain the House being about to prepare a vote in relation to the Dispute about the rates paid by Londonderry & Methuen People,

Resolved That those members of his Majestys Council that shall absent themselves more than half an hour after the time of adjournment either forenoon or afternoon shall not be Entituled to the Secy Certificate to the Treasurer for that days allowance [P. 149.] without an Express Permission for the same or the members of the Council are upon any Publick business or Comittee.

Adjourned till to-morrow 10 o'clock A. M.

Thursday June 23d 1743 — Met according to adjournment.

Present

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne Ellis Huske	Esqs.	Theodore Atkinson Saml Smith John Downing Saml Solly	Esqs.

Mr. Tod from the House bro't up a vote of the House for abateing the Province Tax of sundry Persons that were rated to the Parish of Windham & alsoe to the District of Methuen & Dracut in one of the sd places — read and laid on the Table.

Messrs. Towle & Elkins from the House bro't up a Table of fees &c. Presented by the Comittee of both Houses appointed for that End & a vote of the House thereon which was read and Laid upon the Table.

Adjourned till to-morrow 10 o'clock A. M.

Fryday June the 24th 1743. Met according to adjournment.
Present his Excelency B. Wentworth, Esq., Govern^r.
[P. 150.] [Councilors as before.]

Nothing coming from the House the Council adjourned till to-morrow 10 o'clock A. M.

Saturday June the 25th 1743. Met according to adjournment.
Present [as before, except
His Excelency B. Wentworth.]

Mr. Elkins from the House bro't up the bill Enabling Richd Hilton Esq. to have a Tryall of a case before the Court of Appeals which was Passed in the House and read at the board a first Time.

Mr. Towle bro't up the Petition of John Ober & others praying a Parish might be Erected at a place called Methuen read & laid on the Table Then the General Court was adjourned till Monday the 27th Inst. to meet at Portsm^o at 10 o'clock A. M. by his Excelencys order.

Monday June the 27th 1743. Met according to adjourment.
[P. 151.] Present [Councilors as before.]

Nothing coming from the House the Council is Adjourned to 10 o'clock A. M. to-morrow.

Tuesday the 28th June 1743. Met according to adjournment.
Present his Excelency Benning Wentworth Esq. Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne	Esqs.	Ellis Huske Theodore Atkinson Saml Smith John Downing	Esqs.

Mr. Robie from the House to Enquire weither the Council had acted on the Table of fees.

Saml Gilman Esq. bro't up the Bill for giving the several Courts of Law a Power to Enter up Judgment on Specialties in such cases as the Laws heretofore were Deficient in — read. A message to the House from the Council by the Secretary in answer to the Mess^a of this day bro't up by Mr. Robey to acquaint the House that Mr. Wibird who was of the Comittee of Drawing the s^d Table of fees had been some time detained from Court by sickness which had hindered the Councils acting upon that vote of ye House.

[P. 152.] Adjourned till to-morrow at 10 o'clock, A. M.

Wednesday June 29th 1743. Met according to adjournment.

Present [as before, also]

Samt Solly Esq.

Mr. Gillman from the House bro't up a Bill about the mending of Highways as passed in the House—which was read at the board.

Adjourned till to-morrow 4 o'clock P. M.

Met again according to adjournment.

Present as in the morning.

A messa from the House by Mr. Clarkson & Packer to Enquire weither any thing was acted upon the Table of fees by the Council.

A Petition of Hannah Foulsham & others owners of a Piece of Land in Exeter Praying to be Enabled to Divide the same—read & sent down.

The Council sent the Sec'y to the House in answer to the House's Messa by Mr. Clarkson & Packer of this day viz. That the Council were considering of the Table of fees at each opportunity but Mr. Wibird who was on the Comittee from the Board being still sick retarded that affair.

[P. 153.] The Petition of Hannah Foulsham & others as Entred this day with a vote of the House thereon granting the Prayer & appointing a Comittee to Divide the Premises—which was concurred at the Board and assented to by his Excelency.

Mr. Jennes from the House bro't up a Bill passed in the House for regulating repairs of Fences between Improved Lands &c. which was read & Laid on the Table.

Adjourned till to-morrow 10 o'clock A. M.

At a Council and General Assembly held at Portsmo according to adjournmt on Thursday June 30 1743.

Present his Excelency B. Wentworth, Esq. Governr

[Councilors as before, except] Joseph Sherburne Esq.

Mr. Stevens with a message from the House to Enquire if any thing had been acted upon the vote of the House for Proportioning the several Towns to the Province Tax—read at the Board.

Peter Gillman Esq. bro't up a vote of the House for the choice of a recorder which was voted with an amendmt & send down to the House for concurrence.

Mr. Israel Gilman bro't up a Bill to enable Hannah Foulsham & others to Divide a Piece of land which was read.

[P. 154.] A Petition of John Hall Praying the Executrs of

John Rindge Esq. may be Enabled to reconvey a Piece of Land mortgaged to the s^d^ Rindge in his life time — which was read & sent Down.

Mr. Israel Gillman Bro't the vote for a recorder with the vote of the House on the Councils Amendment — namely, that the Comittee appointed by the Coun^l^ be left out — which s^d^ vote was read & non concurred unanimously.

Mr. Packer from the House bro't up a new vote of the House for a recorder — which was read.

Adjourned till to morrow 10 o'clock A. M.

Fryday July 1st 1743. Met according to adjournment.

Present [as before, also]

Joseph Sherburne Esq.

The Clerk of the Assembly bro't from the House the following votes, viz.

A vote for payment of the Door keepers salary & rectifying a mistake in a former allowance.

A vote for payment of the Clerk of the House his Sallary in full.

[P. 155.] A vote of the House for payment of the Comittee that farmed the Excise their acc^t^ for June in s^d^ service.

And alsoe the return of the s^d^ Committee for farming the Excise, viz. That they had let the same to Charles Gorwood for two years from the 15th of May Last for nine hundred & twenty nine pounds old Tennor per annum.

An act for the choice of Town officers passed the Council and assented to by his Excelency the Governour.

And for the Enabling Mrs. Foulsham & others Partners to Divide a Tract of Land. Passed at the Council & assented to by his Excelency.

An act to Enable Richd Hilton Esq. to have a hearing before the Court of Appeals Passed by the Council and assented to by his Excelency.

The sundry votes of the House for allowances bro't up by the Clerk of the Assembly & y^r^ members concurred with in Council & assented to by his Excelency the Governour.

Mr. Stevens from the House bro't up the following Bills & votes, viz.·

A Bill for the supply of the Treasury with the sum of three hundred pounds. Passed at the Board & assented to by his Excelency.

An act for Proportioning the several Towns to a Province Tax. Passed in Council and assented to by the Governour.

An act to revive an act for Taxing certain Districts to the Province. Passed in Council & assented to by the Govern^r^.

[P. 156.] A vote for his Excellency Drawing out of the Treasury the sum of three Hundred Pounds part of his sallary.

Mr. Daniel Peirce being chosen recorder of deeds, &c. this day took & subscribed the Oath appointed to be taken instead of the oaths of allegiance & supremacy and alsoe an oath Duly and faithfully to Execute the office & Trust of a recorder before the Governour & Council.

Then his Excelency adjourned the General Assembly to Tuesday the 20th Day of September next, then to meet at Portsm° at 10 of the clock in the forenoon.

Prov: New Hamp^r

At a Council & General Assembly holden at Portsmouth by adjournment on Tuesday September 20th 1743.

Present his Excellency Benning Wentworth, Esq. Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theodore Atkinson Saml Smith John Downing	Esqs.

His Excellency send the Secretary to acquaint the Speaker & House that he directed their attendance in the Council Chamber Imediately which was Don & the Speaker & House came up ac- [P. 157.] cordingly & were admitted & his Excelency made a speech to both Houses. The speaker Desired a copy of the speech & withdrew.

The speech is as follows: viz.

Gentlemen of the Council and Assembly—

The expectation I had of some Imediate comands from his Majesty occasioned my adjourning you to this day And I have now not only the pleasure of laying before you his Majestys order in Council for stores for Fort William & Mary in answer to your Petition—the Royal approbation of your Public Acts more particularly the Loan Act for emitting £25000 which his Majesty has condescended to approve to enable you to Execute what is so absolutely necessary for supporting the Hon^r and Dignity as well as Providing for the Defence of the Province; but alsoe I have the satisfaction to congratulate you on the success of his Majestys arms under his Imediate Comand against the French on the river Maine (1) and I rejoice with you in the preservation of his Maj^tys Person and his royal Highness the Duke of Cumberland when Exposed to the most Emminent danger for the good of his kingdoms and Dominions.

Gentlemen of the Assembly—

If there is any thing necessary to expedite the Emission of your Loan money or to make that Bill more effectually answer the Purposes for which it was designed it is with you to propose the method and you may be assured of my hearty concurrence therein.

[P. 158.] I am Dayly expecting orders from his Grace the Duke of Mon-

(1) *Main, Mayn* or *Maine*, a navigable river of Germany; rises by two streams, the Red and White Main, in the Fichtelburg mountains, N. Bavaria, flows very tortuously west, and joins the Rhine; length, 280 miles. [*Univ. Gaz.*]—Ed.

tague Master General of his Majestys Ordnance for an Ingenier to make a Plan of his Majestys Fort William & Mary & to make a representation of what guns carriages & other warlike stores are necessary for its defence and as there is no money lodged in the Treasury for this or any other Emergency I make no doubt but you will make an ample Provision therefor.

Gentlemen of the Council and Assembly—

The season of the year calling for your attendance at your respective farms it will lead me to dismiss you as soon as the necessity of the session is over to a more convenient season.

B. Wentworth.

Council Chamber in Portsmouth, Septem^r 20, 1743.

The answer of the House of Representatives to his Excelencys speech of September 20th 1743. Bro't up the 23^d of y^s Inst.

May it Please your Excellency

We the Representatives of his Majestys Province of New Hampshire convened in General Assembly cannot but with the most grateful *resentment* (1) take [p. 159.] notice of what your Excelency communicates to us in your speech (at the opening of this Assembly on this adjournment) of his Majestys great goodness in granting us stores for Fort William & Mary in answer to our Petition and in approbating our Loan Bill and other Public Acts.

We alsoe heartily rejoice with your Excelency in the success granted to his Majestys arms and in preservation of his Majesty's Person and his royal Highness the Duke of Cumberland when so greatly exposed and it is & shall be our earnest Prayer to the King of Kings that the same kind Providence that has watched over him at this and all other times of Danger may ever Protect & Defend him.

We thankfully acknowledge your Excelencys readyness to concurr with us in expediting the affair you mentioned & in making the Bill you referr to more Effectual to the Purposes for which it was designed — and assure you we shall be Desirous of doing every thing that will be needful in order to it. And as to what your Excelency mentions concerning the orders you dayly Expect from the Master General of his Majestys Ordnance respecting Fort William & Mary we shall readily make such Provision on any Emergency as is requisite on our part and shall allways have a Tender regard to his Majestys Hon^r & do every thing that can be Expected from a loyal People to a most kinde and gracious Sovereigne.

Andr. Wiggin.

[p. 160.] At a Council & General Assembly held at Portsm^o by adjournment on Wednesday September 21st 1743.

Present his Excelency Benning Wentworth, Esq. Govr.

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theodore Atkinson Saml Smith John Downing	Esqs.

Nothing lying before the Council they are adjourned till to morrow 10 o'clock A. M.

(1) One meaning (now obsolete) of the above word, is a "strong perception of good." [*Web.'s Dict.*]—Ed.

Thursday September 22d 1743. Met according to adjournment.

Present [as before.]

Mr. Kenny from the House bro't up a vote for removeing the money Plates from the late Treasurer into the Present Treasurer's hands & for appointing a Comittee for that purpose — which vote was concurr'd at the Board & a Comittee added — & assented to by the Governour.

Adjourned till to morrow 10 o'clock A. M.

[P. 161.] Fryday September 23d 1743. Met according to adjournment.

Present [as before.]

Mr. Tod from the House bro't up the Comittees report about a highway between Chester & Londonderry with the vote of the House thereon which was read at the board & concurred & assented to by his Excelency.

Mr. Elkins bro't up the report of the Comittee appointed to view the Parish of Brentwood & to make report of a Proper Place for a meeting House.

The Secretary carr'd to the House the Comittees vote relateing to Nottingham People's Petition about their rates which was return'd by Mr. Tod concurr'd by the House & assented to by the Governour.

Messrs. Stevens & Jennes from the House bro't up the House's answer to the Governour's Speech which was read at the Board and is as follows, [vide preceding page.]

Adjourned till to morrow 10 o'clock A. M.

[P. 162.] Saturday, September 24th 1743. Met according to adjournment.

Present [as before.]

The Comittee appointed to receive the Prov. money Plates from the late Treasurer & Deliver them to the Present Treasurer reported that they had done it & Bro't in Mr. Treasurer Jaffreys' rec^t for the same.

Mr. Thompson Bro't up a vote of the House for the Publishing an act made ag^st Counterfeiting Paper Bills which was concurr'd by the Council & assented to by the Governour.

Mr. Wallingford from the House bro't up the Bill for the supply of the Treasury with the sum of nine hundred & Eighty Pounds Proclamation money.

And one other Bill for the better & more fully executing and Emitting the £25000 Loan which was read & laid on the Table—

and read again a second time—& read again in the afternoon a third time.

Adjourned till Monday next at 10 o'clock.

[P. 163.] Monday the 26th of September. Met according to adjournment.

Present.

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theodore Atkinson Richd Wibird Saml Smith John Downing Saml Solly	Esqs.

Mr. Stevens from the House bro't up the vote for Establishing the Sallarys & allowances for the several Comittees in making & signing & Letting the £25000 Loan which read at the board & sent down by the Secretary to the House for an amendment & return'd again amended by Mr. Elkins.

Adjourned till to morrow 10 o'clock A. M.

Tuesday September 27th 1743. Met according to adjournment.

Present his Excelency Benning Wentworth, Esq. Governr.

Councilors [as before.]

The several Bills That have been read a third time this sessions & Passed in the House was concurr'd at the Board and assented to by his Excelency the Governour.

And alsoe the vote of the House of yesterday relateing to the allowances to several Comittees to be imployed about the £25000 Loan was Concurred at the Board & assented to by his Excelency.

[P. 164.] Adjourned till to morrow 10 o'clock A. M.

Wednesday September 28, 1743. Met according to adjournment.

Present as [before, except]

John Downing and Saml Solly Esq.

His Excelency sent the Secretary to the House with a written message recomending to their consideration some method for detecting the riotous persons that lately abused Cyprian Jeffrey who was a waiter in the Customs, and alsoe directed the Secretary to read a Complt he had recd from Saml Solly Esq. Collector of his Majesty's Customs here on that affair, and alsoe a threatning let-

ter from an unknown hand dropt at the King's Attorney House supposed to come from s^d rioters.

Mr. Gage from the House bro't up a vote to Enable Mr. Clarkson to receive money from the Treasury to pay sundry Expences occasioned in the making the £25000 Loan which was read & concurr'd and assented to by his Excelency.

Mr. Stevens from the House bro't up the forms of the mortgages [P. 165.] & Bonds to be observed & made use of in the management of the £25000 Loan, & vote of the House thereon which was read at the board & concurred and assented to by his Excelency.

Then his Excelency sent the Secretary to the House to acquaint them that the several votes & acts that lay before the Council were Passed & that he had assented thereto.

And alsoe to acquaint them that he had Prorogued the General Assembly to the 22^d day of November next. Then to meet at Portsm^o at 10 o'clock in the forenoon.

Here follows the Titles of the several Acts passed this Sessions, viz.

An Act to Enable the Governour & Council as a Court of Appeals to take cognizance of a cause heretofore pending in s^d court wherein the appellee was Defaulted.

An Act in adition to & for rendering more Effectual an act Entituled an act for regulating Townships choice of Town Officers & setting forth their Power.

An Act for Dividing a certain parcel of Land in Exeter.

An Act for reviveing an act passed in the fifteenth year of his Majesty's reign for Taxing certain Districts in this Province.

[P. 166.] An Act for Proportioning the Province Tax to Each Town Parish & Precinct within the Province of New Hampshire.

An Act for supplying the Treasury with the sum of three Hundred Pounds in Bills of Credit on this Province.

An Act in adition to an act Entituled an act for establishing Courts of Publick Justice within this Province.

An Act to regulate the making & repairing of fences between Improved Lands.

An Act for the more effectual assessing & collecting the Province Tax.

An Act for granting unto his most sacred Majesty the sum of Nine hundred & eighty Pounds in Bills of Credit Equal to Proclamation money.

An Act for the better Executing "An Act for Emitting the sum of Twenty "five thousand Pounds in Bills of Credit on this Province Equal to so much "Proclamation money (1) upon Loan and for granting to his Majesty the In-"terest that shall arise thereby for the Purposes in the act mentioned."

(1) The editor has been unable to find any definition or explanation of what is meant by "proclamation money." It appears to have been equal to what was subsequently called the *new tenor* money, in distinction from *old tenor*; and probably was a *value* established by "proclamation" or by royal authority. By *new tenor, one* shilling was equal to *four* shillings of old tenor.—Ed.

[P. 167.] Here follows sundry votes that past the three Parts of the Legislature in the 4th Sessions & that are not Included in any act or Law under the Province Seal, (viz.)

The following vote & return is Entered upon Treasurer Sherburnes acct on file.

Province of New Hampr

Pursuant to a vote of the General Assembly Dated December 4th 1742.

We have Examined the accoumpt of Henry Sherburne Esq. late Treasurer of sd Province the ballance Due to the sd Treasurer thereon the sum of Ten pounds thirteen shillings & one penny as the acct now stands. But in as much as the Assembly by their Vote of the 19th of Feby Disallowed of a payment of one hundred & Twenty two pounds nine shillings & six pence to the late Governor Belcher,

We report that there is Due to the sd Province from sd Treasurer Sherburne the sum of one hundred & Twenty two pounds nine shillings & six pence agreeable to the aforesd vote.

George Jaffrey
Hunking Wentworth } *Committee.*
J. Odiorne

In the House of Representatives May 14th 1743.

The above return read & accepted & the sd Treasurer is hereby [P. 168.] discharged of the several sums wherewith he chargeth himself in sd acct (except the one hundred & Twenty two Pounds nine shillings & six pence over paid the late Governour Belcher) so that the sd Treasurer now stands Indebted to the Province of New Hampshire the sum of one hundred Twenty two pounds nine shillings & six pence.

James Jeffrey, Cler. Assm.

Province of New Hampr.

In Council Eodem Die. The above vote of the House read & concurred.

Theodore Atkinson, Secy.

Eodm Die — assented to. B. Wentworth.

Upon the Petition of John Karr & Nathan Webster Selectmen of Chester the following vote of the Assembly was passed — viz — on file.

In the House of Representatives May 26th 1743.

The within Petition read & a former Petition of the Selectmen of Chester read relateing to the same affairs and the Petitioners & the Selectmen of Londonderry respondents heard by Council & voted

That there be a Comittee sent to view the Highways (viz) that which is laid out and that which is Petitioned to be laid out and the sd Comittee to make return to the General Assembly at their

next sessions which place is most Proper for a Highway and [p. 169.] upon the Comittees return to consider who shall pay the charge — and that George Walton & Richard Jennes Esqs. be a Comittee from this House to joyn such as the Honble the Council shall appoint to do the services above s^{d}.

James Jeffrey Cler Ass^{m}.

Eodem Die — In Council read and concurred & Joseph Sherburne & John Downing Esqs added to the Comittee above s^{d}.

Theodore Atkinson Sec^{y}.

Eodem Die — Assented to.

B. Wentworth.

Upon the Petition of Richard Perry for wages for his son &c.— Petition on file — the following vote of Assembly Passed, viz.

In the House of Representatives May 27th 1743.

The above Petition read & the Petitioner heard and voted that there be paid to the s^{d} Richd Perry for his sons Duty as a soldier at Fort William & Mary from May 1737 to May 1743 the sum of seventy-five pounds old Ten^{r} & this sum to be in full of all Demands for the five years mentioned to be unpaid in the Petition, out of the money for contingencies.

James Jeffrey Cler. Ass^{m}.

Read & Concurred

Theodore Atkinson, Sec^{y}.

Eodem Die — assented to.

B. Wentworth.

[p. 170.] In the House of Representatives May 28th 1743.

Voted That Richard Jennes & George Walton Esqs be a Comittee of this House to joyn such as the Honble the Council shall appoint to Farm out the Excise of this Province and to do it by Publick Vendue to the highest bidder and to let it for two years from the fifteenth day of May curr^{t} the farmer to give security & to pay half yearly.

James Jeffrey Cler. Assem.

Pr. New Hamp^{r}.

In Council May 31, 1743 — read & concurred & Henry Sherburne & Joseph Sherburne Esqs. added to the Comittee for the end above s^{d}.

Theodore Atkinson Sec^{y}.

Eodem Die — assented to.

B. Wentworth.

In the House of Representatives May 31, 1743.

Voted That Peter Gillman Esq. & Mr. Hunking Wentworth be a Comittee of this House to joyn such as the Honble the Council shall appoint to audit the Treasurers Acc^{ts} and all other Acc^{ts} of the Province Bro't in this sessions and to make their return to the General Assembly for acceptance.

James Jeffrey, Cler. Ass^{m}.

Pro. N. Hamp^{r}. In Council May 31st 1743.

Read & concurred & Henry Sherburne & Ellis Huske Esq. added to the Comittee.

Theodore Atkinson Sec^{y}.

Eodem Die — Assented to.

B. Wentworth.

[p. 171.] In the House of Representatives May 30th 1743.

Voted That Jotham Odiorne & Mr. Hunking Wentworth be a Comittee of this House to joyne such as the Honble the Council shall appoint to tell over all such moneys as is to be burnt this sessions & to make their returns.

James Jeffrey Cler. Ass^{m}.

Prov. New Hamp^{r}.

In Council May 31, 1743 Concurred & Ellis Huske & Richd Wibird Esqs. added to the Comittee.

Theodore Atkinson Sec^{y}.

June 8th 1743 Assented to.

B. Wentworth.

Upon the acc^{ts} of the Comittee appointed to get the money made viz. Jotham Odiorne Andrew Wiggin Ellis Huske George Walton & James Clarkson Esqs. as on file — the following vote of Assembly was Entred — viz.

In the House of Representatives June 4th 1743.

The Comittee of Auditt bro't in the above acc^{t} & the same was Examined in the House & voted that there be paid out of the Publick Treasury to the Comittee that struck & signed the Last Emission of money the sum of Three pounds fifteen shillings new Ten^{r} in full of the Balance of the above acc^{t}.

James Jeffrey Cler. Ass^{m}.

Prov. N. Hamp^{r}.

In Council June 8th 1743 — the above acc^{t} Examined & the vote of the House above concurred.

Theodore Atkinson, Sec^{y}.

Eodem Die — assented to. B. WENTWORTH.

[P. 172.] Upon the acc^{t} of Mrs. Ann Slayton Dated June 25th 1743 amounting to £16 : 6 for Comittees expence in farming ye Excise — the following vote of the General Assembly Past, viz.

In the House of Representatives June 30th 1743.

Voted That there be paid out of the Publick Treasury to Mrs. Ann Slayton the sum of fourteen pounds six shillings Old Ten^{r} in full of the above acc^{t} out of the money for contingencies.

James Jeffrey Cler Ass^{m}

July the 1st 1743 The within vote read in Council & concurrd

Theodore Atkinson, Sec^{y}.

Eodem Die — Assented to B. WENTWORTH.

Province of New Hamp^{r} Jany 22^{d} 1740-1.

These may certify that I Impressed Richard Nason to carry Precept for his Majesties service to Hampton Hampton Falls Kensington & Londonderry.

Eleazer Russell Sheriff.

To the Honble Henry Sherburne Esq. Treasurer.

In the House of Representatives June 26th 1743.

Voted That there be paid out of the Publick Treasury to the within named Richd Nason forty shillings Old Tenor in full for the within service out of the money for contingencies

James Jeffrey Cler Ass^{m}.

July 1, 1743 — In Council read & concurred.

Theodore Atkinson, Sec.

Eod^{m} Die — Assented to B. WENTWORTH.

[P. 173.] Province of New Hampshire.

We the subscribers being appointed a Comittee to sell the Excise on Liquors for Two years from the 15th day of May Last past — Accordingly on the 9th of June Last did sell the same at Publick Vendue to Mr. Charles

Gorwood for the sum of nine hundred and Twenty nine Pounds pr Annum Old Tenor takeing his bond for the same with Two sufficient sureties & the same to be paid half yearly.

Henry Sherburne
Joseph Sherburne
Richd Jennes
George Walton } Committee.

Portsm^o 1st July 1743.

Entered in the Journal of the House of Representatives July 2^d
James Jeffrey Cler Ass^m.

Entered in the Council Books, *June?* 2^d 1743.
Theodore Atkinson Sec^y.

Samuel Gillman & Richd Wibird Esqs. a Committee for calculating a Table of Fees, fines &c offred their acc^ts of Time & expence in s^d service am^o to £43—upon which the following votes of Assembly past viz.

In the House of Representatives June 4th 1743.

The within acc^t read & voted it be accepted & allowed & Paid out of the Publick Treasury the sum of forty-three pounds old Tenor.

James Jeffrey Cler. Ass^m.

In the House of Representatives July the 2^d 1743.

[P. 174.] The above vote of the House was bro't Down to be reconsidered.

Voted That the House adheir to the above Vote of the 4th of June 1743 & that the same be paid out of the money for contingencies.

James Jeffrey Cler Ass^m.

In Council July 2^d 1743.

Read & concurrd with this amendment—That the Comittee above mentioned be allowed & paid fifteen shillings pr day instead of Twenty the sum charged.

Theodore Atkinson Sec^y.

Eod^m Die. In the House of Representatives, read & concurr'd.

James Jeffrey Cler. Ass^m.

Eod^m Die. Assented to

B. Wentworth.

In the House of Representatives, July 1, 1743.

Voted That there be paid out of the Publick Treasury to James Jeffrey for his service as Clerk of the House of representatives from May 1742 to the 25th of June 1743 in full of all Demands for

s^d service the sum of forty pounds old Tenor out of the money for paying the contingencies.

James Jeffrey Cler. Ass^m.

In Council July 2^d 1743 read & concurr'd

Theodore Atkinson, Sec^y.

Eod^m Die. Assented to

B. Wentworth.

Province of New Hamp^r.

To the Comittee for selling Excise.	Dr.
To 1 day each being four men at 15*s*	£3:
[P. 175.] To 1 day each Comittee taking Bonds	3:
Portsm^o 1 July 1743.	£6:

Henry Sherburne
Joseph Sherburne
Richd Jennes
George Walton } Comittee

In the House of Representatives July 1, 1743.

Voted That there be paid out of the Publick Treasury the sum of three pounds ten shillings in full of the within acc^t viz.

Twenty shillings of it to Mr. Joseph Sherburne Twenty shillings to Richd Jennes & Twenty shillings to George Walton & Ten shillings to Henry Sherburne Esq. Instead of the six pounds within mentioned to be paid out of the money Laid in for payment of Contingencies — all old Tenor.

James Jeffrey Cler. Ass^m.

July 2^d 1743, read & concurr'd

Theodore Atkinson, Sec^y.

Eod^m Die. Assented to

B. Wentworth.

1742. 2 Large Blancketts d^d to Capt. Cowas & his Squaw as pr his Excelency's verbal order at 140*s* £7:

Errors excepted pr John Gage.

In the House of Representatives June 1, 1743.

Voted there be paid to the said John Gage Esq. out of the Publick Treasury the sum of seven pounds old Tenor in full of the above acc^t out of the money Laid in for paying contingencies.

James Jeffrey Cler Ass^m.

In Council July 1, 1743 — read & concurr^d

Theod. Atkinson, Sec.

July 2^d 1743 assented to

B. Wentworth.

[P. 176.] In the House of Representatives July 2d 1743.

Whereas the last supply Bill in the Estimate of the charge for the year 1742 there was Put therein for Benjamin Akerman as Doorkeeper the sum of three pounds fifteen shillings & since that act passed, viz. on the first Day of December 1742 there was a vote past in the House That there be paid Benja Akerman for his service as Doorkeeper for the year 1742 ending at April 1743 the sum of seven pounds Ten shillings Proclamation money,

And whereas the sd Benja Akerman has recd the sum of three pounds fifteen shillings Proclamation money as allowed in the estimate aforesd — Voted That there be paid out of the Publick Treasury the sum of three pounds fifteen shillings more Proclamation money In full for his service as Doorkeeper for the year 1742 Ending April last to be paid out of the money for contingencies.

James Jeffrey, Cler Assm.

In Council July 2d 1743 read & concurr'd.

Theodore Atkinson Secy.

Eodem Die. Assented to

B. Wentworth.

Province of New Hampr To Theodore Atkinson, Dr.

1742. To 1 ream of fine paper for Transcribing the Journal of the General Assembly & the several acts to send home to the Secy of State & the Lords Comissrs for Trade & Plantations, of Mr. Thomas Handcock, old Tenor £6: 10

Theod. Atkinson, Secy.

In the House of Representatives, July 2d 1743.

[P. 177.] Voted That the above accompt be allowed & paid out of the Publick Treasury, six pounds ten shillings old Tenor out of the money laid in for contingencies.

James Jeffrey, Cler. Assm.

Eodm Die. In Council read & concurr'd.

Theodore Atkinson, Secy.

Eodm Die. Assented to

B. Wentworth.

John Hall		£0: 15: 5	Richd Ingall	1	£1: 0: 10
Jona Woodbury	1	1: 5: 5	Edward Bogle	1	0: 16: 9
Robt Allinwood	1	0: 18:	Ebenr Woodbury	1	1: 3: 4
John Coffin	1	0: 19: 6	Bendman Corner	1	1: 0: 11
Saml Armer	1	1: 3: 1	John Ober	1	1: 6: 8

Henry Saunders	2	£2: 8: 4		John Ober jun	1	£0: 13:
Oliver Sanders	1	1: 2:		Willm Kitterege	1	0: 13:
Timothy Sanders	1	0: 13:				
Wm. Sanders	1	1: 4: 4				
Sam[l] Sanders	1	0: 13:				
Nath[l] Woodbury	1	0: 18:				
John Giles	1	0: 16: 8				

A true copy taken out of our List of these that are Dublee rated by us the selectmen of Methuen & Dracut District

Henry Sanders
Isaac Clough } June y[e] 6, 1743.
Daniel Peasly

Province of New Hamp[r]. In y[e] House of Representatives June 23[d] 1743.

Whereas for want of knowledge of the True bounds of the Districts of Methuen & Dracut how it interfered on the Bounds [p. 178.] of Londonderry Township when the Act was past last year for Proportioning the Towns & Districts within this Province the within persons were Doubly returned viz. By the Districts of Methuen and Dracut and by Londonderry, Whereby the within named Persons has been rated for their Province Tax to Londonderry and alsoe to Methuen & Dracut District—It being ag[st] Reason that they should be rated to Both places,

Voted That they pay their respective rates for the Province Tax for the year 1742 to the constable or collector of the Parish of Windham as rated in Windham and that the District of Methuen and Dracut be abated the sum of nineteen pounds seven shillings & four pence part of the Proportion they were to pay for the Province Tax for the year 1742. And that the Collector of the District of Methuen & Dracut has rec[d] of the Persons within named shall all such money so rec[d] be repaid by s[d] collector to the persons from whom the same was collected.

And that the s[d] sum of nineteen pounds seven shillings & four pence Equal to old Tenour be taken out of the money put into the Treasury for contingencies and to ly in the Treasury as a Fund to Exchange the old Bills of Cred[t] of this Province in order that they may be bro't in & burnt.

James Jeffrey Cler. Ass[m].

In Council July 2[d] 1743 read and concurr'd.

Theodore Atkinson Sec[y].

Eod[m] Die. Assented to

B. Wentworth.

[p. 179.] In the House of Representatives July 2[d] 1743.

Whereas his Excelency Benning Wentworth Esq. was to receive Two hundred & fifty Pounds Bills of Cred[t] of this Province towards his support out of the Interest that should arise upon the

sum of Twenty five thousand pounds which was granted by the General Assembly to be made April 1742 Provided his Majestys royal assent might be obtained to s^d act, but in as much as said act has not yet obtained his Majestys royal assent so that his Excelency is kept from reseaving that sum of two hundred & fifty pounds which he was to receive annually Dureing the continuance of s^d act and his administration towards his support Provided s^d act should take place out of the Interest that should arise upon the Loan of s^d Twenty-five thousand pounds,

Wherefore voted That his Excelency Benning Wentworth Esq. have Liberty to draw out of the Treasury the sum of three hundred pounds Bills of Cred^t of the new Emission out of the money that is or shall be put into the Treasury for contingencies.

And that if the afores^d act should be approved of by his Majesty that then as soon as there is any Interest arising upon the Loan of s^d Twenty five thousand pounds & put into the Treasury That then the Treasurer take out of the s^d Interest money which is appropriated in s^d act to pay his Excelency for his support two hundred & fifty pounds pr annum Dureing the continuance of s^d act the sum of Three hundred Pounds Bills of Cred^t of that [p. 180.] Emission in Lieu of s^d three hundred pounds which his Excelency has Liberty by this vote to draw out of the Treasury & that s^d three hundred pounds lye in the Treasury for contingencies as shall be ordered by the General Assembly.

James Jeffrey, Cler. Ass^m.

Eod^m Die. In Council read & concurr'd

Theodore Atkinson Sec^y.

Eod^m Die. Assented to

B. Wentworth.

In the House of Representatives Septemb^r 22^d 1743.

Voted That all Plates whereon any Bills of Cred^t of this Province has been struck of from be put into the hands of the present Treasurer there to lye for safe keeping (without defaceing) till further order of the General Assembly and that Eben^r Stevens & Ichabod Robie Esqs. be a Comittee of this House to joyn such as the Honble the Council shall appoint to receive the old Plates from the Honble Colonel Hervey Sherburne (the late Treasurer) & deliver them to the Present Treasurer & take his rec^t for them & make return of their doings.

James Jeffrey Cler. Ass^m.

Eod^m Die. In Council read & concurr'd & voted that Ellis Huske & Saml Smith Esqs. be of the Comittee.

Theodore Atkinson, Sec^y.

Eod^m Die. Assented to.

B. Wentworth.

[P. 181.] Province of New Hamp^{r}.

Pursuant to a vote of the General Court of the 22^{d} Day of September 1743, to us the Comittee, viz.

That all the Plates whereon any Bills of Cred^{t} of the Province has been struck off from be put into the hands of the Fresent Treasurer there to lye for safe keeping (without defacing) till further order of the General Assembly &c.

We the Comittee for so doing has rec^{d} from Henry Sherburne Esq. five plates & Delivered them to George Jeffrey Esq. as appears by the rec^{t} hereunto annexed, Dated the 24th of September 1743.

Ellis Huske
Icabod Robie } Comittee.
Ebene^{r} Stevens

Province of New Hampshire Septemb^{r} 24 1743.

Rec^{d} of Ellis Huske Icabod Robie & Ebenez^{r} Stevens Esqs. a comittee appointed by the General Assembly to receive of Col. Henry Sherburne Esq. and to Deliver to me five Copper Plates for the striking Bills of Cred^{t} on this Province, viz. Two Cuba Plates & one back Plate one marked an Indian Pine tree a Buck & a Cod fish and alsoe one Plate marked a Boar & spread Eagle a Bear & Camell I say the above Plates.

Pr George Jaffrey, Treasurer.

Province of New Hamp^{r}

Pursuant to a vote of the General Court Bareing Date May the 26th 1743 to us the subscribers a Committee appointed by the General Court to goe up to Chester & Londonderry & recorded in each Town and alsoe another way Petitioned for by Chester and to make report of our doings therein to the General Assembly at their next sessions.

[P. 182.] We having been up & view'd Both ways and doe finde that the way formerly laid out from Londonderry to Chester between the lands of Messrs James Calwell & Patrick Douglass to Derry North Easterly Line and then on a straite Line thro' the Land of —— Brown of Chester to meet the road that Leads by Deacon Derbons to Chester meeting house is the most convenient high way for accomodation of Both Towns afores^{d} and for Travellers in General. Dated the 22^{d} Day of September 1743.

John Downing
George Walker } Comittee.
Richd Jennes

In the House of Representatives September 23^{d} 1743.

The within return read and accepted and voted that the Highway as therein mentioned & Described be the Kings highway and that all obstructions in or on s^{d} highway be removed and that the same be allowed to be a Publick road and that the Petitioners of Chester pay the charge of the Comittee that went on the spot each Person thirty shillings (old Tenor) pr. Diem for their labor & charges and the s^{d} Petitioners of Chester pay the s^{d} charge to some or one of the s^{d} Comittee within thirty days after the date hereof.

James Jeffrey Cler. Asse^{m}.

In Council September 23^{d} 1743 read & concurred.

Theodore Atkinson, Sec^{y}.

Eodem Die — Assented to.

B. Wentworth.

[P. 183.] Province of New Hampr } In Council September 23d 1743.

Upon a representation to his Excelency of Thirty-four Inhabitants of Nottingham (1) & Merrimack & Litchfield whose names are hereunto annexed — That the sd Districts as they think have by virtue of a late act raised an extraordinary Tax on the sd Inhabitants on account of the ministers rates & arrears &c. which they conceive they should be freed from upon accl of their maintaining a Gospel amongst themselves for many years, Therefore Resolved —

That the Constables to whom the sd rates are comitted to collect is hereby ordered & Directed to suspend the Collecting the Town & Parish rates from Thirty four Inhabitants as hereunto annexed until the second Tuesday of the next sitting of the General Assembly when the Parties may be heard & the Constables are hereby ordered and Directed to suspend collecting the sd rates and the Petitioners are Directed to serve the selectmen of the above sd Districts with a copy of this resolve.

Theodore Atkinson, Secy.

The names of the Persons referred to in the within Resolve.

Joseph Kidder	Ebenezr Spalding	Joseph Pollard
Josiah Cumins	Nathan Cross	Henry Hills jun
Joseph Kidder jun	Nathl Hills	Robt Melvin
Robt Dorah	John Marshall	Stephen Spalding
Charles Dorah	James Hills	Josiah Burroughs
George Burroughs jun	Eleazr Cumins	James *Burt?*
Wm Cumins	Roger Chase	Moses Barret
Wm Cammell	John Robinson	Edward Lawrence
Leonard Cumins	Willm Taylor	Nathl Hills jun
Edward Spalding	Henry Hills	John Bradbury
	Ezekel Hills	Bradbury Morrison
		Joseph Dutton
		John Hazelton.

[P. 184.] In the House of Representatives Sepr 23d 1753.

The within vote of Council read & concurred.

James Jeffrey Cler Assm.

Eodem Die assented to.

B. Wentworth.

In the House of Representatives Sept 24, 1743.

Whereas there was an act Entituled "An Act more effectually to prevent the counterfeiting the Bills of Credt on this Province" which Act was to be in force from the publication thereof & Whereas there is no record that ever the said Act was published — Wherefore voted, that Mr. Secy do forthwith publish the same Act in form & afterwards get the same incerted in some of the Publick

(1) Now called Hudson.—Ed.

prints that it may be publickly known there is such a Law & that the charge be paid by the Treasurer.

James Jeffrey Cler Ass^{m}.

In Council Eodem Die Read & concurred

Theodore Atkinson Sec^{y}.

Eodem Die — assented to.

B. Wentworth.

In the House of Represent^{s} Sept. 27th 1743.

Pursuant to an Act Entituled "An Act for the granting unto his most excellent majesty the sum of four thousand seven hundred [p. 185.] & twenty pounds in Bills of Cred^{t} of this Province equal to so much Proclamation money for supplying the Treasury" &c.— Wherein several species are to be rated by the General Assembly for each respective years it is to be paid into the Treasury for that year in Pursuance of the Clause in that Act —

Voted that the Prises of the several species for the year 1743 set by the General Assembly be as follows viz —

Hemp pr. C wt	£2:		Pork pr lb		3
Flax pr lb		5	Beef pr lb		1
Winter Cod fish pr Quen^{ll}	10:		Board & Joyce White Pine pr M	£1:	
Barr Iron pr C. wt	15:		White oak Plank 2 Inch pr M	3:	
Rye pr bushell	2:		Bees wax pr lb		6
Barley pr bushell	2:		Bay berry wax		6
Wheat pr bushell	3:		Tallow per lb. tryed		3
Pease pr bushell	3:		Tan^{d} sole leather pr lb		6
Indian corn pr bushell	2:		Tar pr barrell	5:	
Pitch pr barrell	10:		Turpentine pr C.	4:	

James Jeffrey, Cler. Ass^{m}.

In Council Sept. 27, 1743 read & concurr'd

Theodore Atkinson, Sec^{y}.

Eodem Die. Assented to

B. Wentworth.

In the House of Representatives Sep^{t} 26 1743.

Voted that there be paid to the signers of the Twenty five thousand pounds Loan money the sum of one hundred fifty six pounds five shillings Bills of Cred^{t} of this Province out of the money put into the Treasury for paying contingencies.

[p. 186.] And that there be paid in Bills of Cred^{t} of this Province out of the money put into the Treasury for payment of contingencies the sum of twelve shillings & six pence pr diem to

those gentlemen that attend the press for striking the s^d money for their whole service in that affair both the above Comittees be paid as it becomes due.

And the Trustees be paid for their service in manageing their Parte of the whole affair untill finished the sum of one thousand pounds like Bills of Cred^t of this Province & to receive one hundred pounds pr annum of it out of the Treasury during the space of ten years out of the money put into the Treasury for contingencies and the Interest appropriated to that service when it shall be in the Treasury and that to be in full satisfaction for all services they shall be Imployed in s^d office (Excepting where they are oblidged to make sale of any Estate for Interest or Principle then they may take the necessary charge ariseing by such sales out of the money such Estate sells for) Excepting for their own time which they shall make no charge of.

James Jeffrey, Cler. Ass^m.

In Council September 27th 1743 read & concurr'd

Theodore Atkinson, Sec^y.

Eodem Die. Assented to

B. Wentworth.

[p. 187.] In the House of Representatives Sep. 28th 1743.

Voted that there be paid out of the Treasury to James Clarkson Esq.(1) Out of the money laid in for contingencies such sums as he may want for the payment of Mr. Johnson his man or men & Labourers Ink Paper board & other necessarys for stamping the £25000 Loan money and that the s^d sum be made good into the Treasury out of the Interest arising out of the Loan money when it is Due and the s^d Clarkson to be accountable to the General Assembly for what he receivs.

James Jeffrey, Cler. Ass^m.

Eod^m Die. In Council read & concurr'd

Theodore Atkinson, Sec^y.

Eod^m Die. Assented to

B. Wentworth.

In the House of Representatives June 30th 1743.

Voted that Daniel Peirce gen^t be recorder of Deeds & conveyances of Lands for this Province for one year from this last day of

(1) James Clarkson was of Portsmouth, a Scotchman by birth, who, with his brother Andrew, came to this country in 1717, quite a young man. He was frequently chosen moderator of Town meetings in Portsmouth, acquired property and was much respected for his liberal and public spirit. He died in 1779. [*See Brewster's Ramb. vol. 1, pp. 269-272.*]—Ed.

June and untill the End of the next sessions of General Assembly after the year is up And that the s^d recorder shall give his Bond with sufficient sureties to the Treasurer of the Province for the time being in the sum of Two thousand Pounds lawfull money for the faithfull Discharge of his office, then to take an oath for the faithfull Discharge of his s^d office, that Andrew Wiggin, Henry Sherburne Richd Wibird Esqs. & Messrs Hunking Wentworth & Jotham Odiorne Junr be a Comittee to take the books [P. 187.] of records & papers into custody in case of Death or incapacity of s^d recorder, & in case of the Death or incapacity of s^d recorder That the s^d Comittee or the maj^r part of them shall Imediately take & secure the s^d records & papers belonging to s^d office & keep the same in safe custody till another recorder is chosen or otherwise ordered by the General Assembly and that the s^d Comittee take a list of all books belonging to s^d office and take receipt for the same from the s^d recorder and that the s^d comittee be under oath to the faithfull discharge of their Trust.

James Jeffrey, Cler. Ass^m.

In Council July 1, 1743.

The above vote read & concurr'd for the following consideration, viz. That much Time & expence having attended the Dispute about the choice of a recorder & for as much as the appointment of a Comittee in case of the Death &c. of the recorder is a new method which the board don't at present see thro' & that an End may be put to the s^d dispute for the Present & in as much as the recorder in s^d vote is appointed but for one year & then the s^d Comittees power alsoe to be determined & especially it being the unanimous Resolve of the board That this vote so far as it relates to the appointment of the s^d Comittee shall never be Pleaded as a President or bro't into custom or usage the s^d concurrence of the board to the s^d vote notwithstanding.

Theodore Atkinson, Sec^y.

Eod^m Die. Assented to

B. Wentworth.

[P. 188.] In the House of Representatives September 28th 1743.

That for the suitable support of his Majestys Inginere that may come to view Fort Wm & Mary &c. in order for repairing that & building other forts or Batteries or garrisons in this government (as shall be advised and Directed) That his Excelency be desired to Draw out of the Treasury out of the money laid in for contingencies such sum or sums for that use as there shall be occasion for not exceeding Twenty pounds.

James Jeffrey, Cler. Ass^m.

In Council Septembr 28, 1743 read & concurr'd

Theodore Atkinson, Secy.

Eodm Die. Assented to

B. Wentworth.

In the House of Representatives September 28, 1743.

Whereas the House is Informed that Joseph Sherburne Esq. is Dangerously ill and Questionable weither he will be able to attend the Press for striking the Bills of Credt for the £25000 Loan & he being chosen by the Honble the Council the House desires that the Honble the Council will take care that a person may be chosen to supply his office (if not able to attend his duty) or that his Excellency be Desired to appoint a Proper person now or in the recess of the Court.

James Jeffrey, Cler. Assm.

In Council Eodm Die read & concurr'd

Theodore Atkinson, Secy.

Eodm Die. Assented to

B. Wentworth.

Forms of ye Mortgages for the £25000 Loan.

[P. 189.] This Indenture made the . . . day of . . . . . in the year of our Lord Christ one thousand seven hundred & forty . . . . . Between . . . . . of . . . . . In the Province of New Hampshire . . . . the one part . . . . . and . . . . . of the other Part . . . . . Whereas in and by an Act of sd Province Entituled "An Act for Emitting the sum of Twenty-five "thousand pounds in Bills of credit on this Province Equal to so much Pro-"clamation money upon Loan and for granting to his Majesty the Interest "that shall arise thereby for the purposes in the sd Act mentioned," and by one other Act of sd Province made & passed in the 17th year of his Majesty's reigne for the better Executing the aforesd Act . . . . . are appointed Trustees & Enabled to take security of the respective Borrowers of sd Bills according to the Tenour of the sd acts—Now this Indenture Witnessethe That the sd . . . . . for & in consideration of the Sum of . . . . . Pounds in sd Bills to . . . . . in hand paid before the Ensealing & delivery of these presents by the sd . . . . . in their sd capacity the rect whereof the sd . . . . . hereby acknowledge . . . . . given granted Bargained sold aliened Enfeoffed convey'd & confirmed & by these Presents . . . . . give grant Bargain sell alien Enfeoff convey & confirm unto the sd . . . . . in their sd capacity & their successors in the sd Trust all . . . . . .

To have and to hold the sd granted & Bargained Premises with all the Privileges and appurtenances to the same belonging or any ways appurtaining unto the sd . . . . . and their successors in the sd Trust to the uses In-[P. 190.] tents & Purposes in the sd Acts mentioned and to & for no other Intent or Purpose whatsoever.

And the sd . . . . . for . . . . heirs Executors & Administrators . . . . . hereby covenant Promise Grant & agree to & with the sd . . . . . and their successors in the sd Trust forever hereafter to warrant, secure &

Defend the s^d granted & Bargained Premises against the Lawful claims & Demands of any person or Persons whatsoever to them the s^d . . . . . and their successors in the s^d Trust for the use afores^d

Provided nevertheless that it is the True Intent & meaning of the . . . . . and the grantees in these Presents any thing contained to the contrary notwithstanding That if the s^d . . . . . heirs Executors Administrators or any of them shall well and Truely pay or cause to be paid unto the s^d . . . . . or their successors in the s^d Trust for the use afores^d the annual Interest of the afores^d Sum of . . . . . computing & reconing from Date hereof and the Principal Sum agreeable to the Directions of the s^d Acts respecting the Payment of the whole Sum (Principal & Interest) therein mentioned then the foregoing Deed every clause they shall be null & void & of none effect,—otherwise shall be & remain in full force & virtue.

In testimony whereof the s^d Parties to these Presents have Interchangeably hereunto set their hands & seals the Day & year first above written.

Signed sealed & Delivered
In Presence of

[P. 191.] Know all men by these Presents That we George Jaffrey Henry Sherburne Richd Wibird Andrew Wiggin James Clarkson & Hunking Wentworth Esqs. a Comittee appointed for the signing the Twenty-five thousand Pounds Bills of Credit to be Emitted upon Loan in the Province of New Hampshire are holden & stand firmly bound & obleidged in the sum of Two Thousand five hundred pounds Lawfull money of s^d Province to be paid to the s^d Daniel Peirce or his successor or successors in the s^d office to the which payment well & truly to be made we binde ourselves our respective heirs Executors and Administrators joyntly & severally firmly by these Presents sealed with our seals Dated the . . . . . Day of . . . . Anno Domini 1743 & in the seventh year of his Maj^tys reigne.

The condition of the above obligation is such That if the above Bounden George Jaffrey Henry Sherburne Richd Wibird Andrew Wiggin James Clarkson & Hunking Wentworth shall well & truly Execute perform & Discharge the office Duty & Trust whereunto they are appointed by the Act or Acts of s^d Province relating to the s^d Loan then the above obligation to be null void & of none effect or else to remain in full force & virtue.

Signed sealed & Delivered
In Presence of

The same kind of Form *mutatis mutandis* (agreeable to the Acts) for any other of the persons or officers Employed or to be Employed in and about the Business.

[P. 192.] Memorand^m.

There is no sum mentioned in the additional Act in which the recorder is to be bound.

Quere—weither it is not necessary it should be ascertained.

In the House of Representatives Sept. 28th 1743. The within forms read & accepted & that they be rec^d as Proper forms & so used.

James Jeffrey Cler Ass^m.

Eodem Die In Council read & concurred.

Theodore Atkinson Sec^y.

Eodem Die Assented to.

B. Wentworth.

Here Endeth the Journall of the fourth Sessions of the 1st General Assembly called by his Excelency Benning Wentworth Esq. Governor.

Province of New Hampshire, Anno Georgii 2d 17th.

At a Council & General Assembly held at Portsmouth by Prorogation from the 28th Day of September 1743 to this Day being the 22d day of November 1743 Tuesday — It being the fifth sessions of the first Assembly.

Present

His Excellency Benning Wentworth Esq. Governour &c.

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		John Downing	
Ellis Huske		Saml Smith	
		Saml Solly	

[p. 193.] His Excellency ordered the Secretary to adjourn the General Assembly to Tuesday the 29th Inst. then to meet at Portsmo at 10 of the clock A. M.

Tuesday November 29th 1743. Met according to adjournment.

Present [as before.]

A message from the House by Messrs Stevens & Thompson to acquaint his Excelency that there was a House met & waited his Excelency's pleasure.

His Excelency sent the Secretary to the House to acquaint them that he required the attendance of the Speaker & House in the Council Chamber forthwith.

Accordingly the Speaker & the House came up & were admitted.

Then his Excelency the Governour made a speech to both Houses — and is as follows, viz.

Gentlemen of the Council and of the Assembly

[p. 194.] Their Excelencies the Lords Justices have comanded me by their Secretary of State in consequence of the vigorous measures his majesty is Pursuing in all Partes to put the Province under my comand in the best Posture of Defence that is Possible & to be Constantly upon my guard against a surprise from any quarter whatsoever.

Upon communicating this order to his Majesty's Council they readily offered me all the assistance in their power — what remains to be done that I may effectually execute their Excelency's Comands (which I shall Direct the Secretary to communicate to you) I earnestly recomend you will heartily engage in and let all other concerns give Place to your country's safety & De-

fence — if early measures had been taken the Publick had reaped the advantage I have omitted no opportunity to Persuade & Invite to it tho' with the utmost caution Lest our situation should be too much Exposed.

Gentlemen of the Assembly

At the request of a number of Indians who hunt on the frontiers of the Province I have promised they shall have an interview with me at Portsm° in April next. It is also their request that they may be supplyed in the mean time at Canterbury with sundry sort of goods, in order to comence a Trade — the Secretary shall acquaint you with what has passed on that head upon which I doubt not but you will do what is necessary to answer their desires that no Disappointm^t may Ensue on my Engagement with these People.

Pursuant to the several acts by which the Paper currency of the old [p. 195.] Tennor was Issued the whole sum was drawn into the Treasury by a Provincial Tax in December 1742, & consequently the Limitation for the currency of s^d Bills Expired at that time.

That his Majestys good subjects of this & the neighboring Governments might be apprized thereof I gave timely notice by my Proclamation informing the Public that a fund was placed in the Treasury for exchanging all Bills of the old Tennor of this Province which I am apprehensive did not fully answer the Purposes intended by it — therefore I think it necessary that the currency of the s^d Bills should be restrained by an Act and as this governm^t hath punctually obeyed his Majestys comands respecting the Periods limited for calling in all former Emissions of Paper Money it will be for the Hon^r of the Governm^t as well as a great satisfaction to yourselves that the True state thereof may be laid before the General Assembly.

The Laws in force respecting the Provision each town is to make for stores of Warr, Snow shoes &c. should be carefully Inspected into. That of the fines are insufficient to answer the intent of the Law — they may be made more effectual by an aditional Act.

As soon as my health will permit I intend to visit the frontiers in order to settle the Garrisons that I judge necessary for the Defence of his Majestys subjects & I hope you will not fail of making Provision to Defray the Expence that may attend it.

[p. 196.] *Gentlemen*

It is his Majestys Pleasure to comand me to transmit to him by one of the principal secretarys of State & to the Right Honble the Lords Comissioners for Trade & Plantations an Exact survey or Map of the Province including the sea coasts fortifications & respective Towns within the same — some part of which his Majestys Ingineer will furnish me with when he arives in the Province. The other part remains with you to provide for.

In the first Treasury bill after my accession to the Governm^t you made me a grant of Twenty five pounds New Tenor for or towards Providing a house for my reception, there being no Provincial house for that purpose, since which no further notice has been taken or Provision made for my accommodation. The only reason I did not sooner mention it to you was because I concluded there had been care taken in the Loan Bill for that occasion, but as that was either neglected or overlooked it is my Desire that a Comittee may be appointed this sessions for that service that I may be put to no further Inconveniency to support the Hon^r & dignity of my Imployment.

In the late Receiver Generals Acc^t of Powder money which shall be communicated to you there is a deduction of £107: 11 for Commissions &c. whereby the Revenue intended by that act to supply his Majestys Garrison with Powder falls short that sum which being contrary to the Express Letter [p. 197.] of the act I hope you will make a reasonable allowance to s^d officer for his services & those that succeed in the office that the money collected by virtue of s^d Act may come into its proper channell & that no Infraction may be made on it hereafter.

I have Directed the Treasurer to prepare his acc^ts to lay before you which should have been passed upon the Last Sessions.

By his Majestys 24th Instruction I am directed to transmit to him by one of

his principall Secretarys of State & the Right Honble the Lords Commissioners for Trade & Plantations the whole Proceedings of the General Assembly and all acts whatsoever, alsoe Duplycates of the same by the next conveyance. You are sensable that since I have had the honor of being in the Chair I have passed more Acts than have been passed in the Government for near Twenty years which with the intervening occasions of the Province has a tendency to increase the business of the Secretarys office so that it is with difficulty I can prevail with him to hold the Imployment for your allowance. I hope therefore you will in some way take care that I may be furnished with the transactions of the Government in obedience to his Majestys Instructions.

I shall lay before you two Paragraphs of the Right Honble Lords Comissioners for Trade and Plantations Letter to me that you may act therein in conformity to their Directions by giving your Agent proper Instructions which [p. 198.] I am perswaded you will readyly do as it so Imediately concerns the Peace of the Province.

Gentlemen of the Council and of the Assembly —

I recommend to you a serious attention on the business of this Session & in a more Particular manner what concerns the Honble support of the Government its safety and defence & Let no unreasonable controversies or Debates Ingage the least part of your time — nothing will give me more sensable satisfaction than to see you unite in granting such supplys for the service of the Government as are absolutely necessary at this critical juncture for its safety defence & Protection. Their Excelencies have shown their concern for your safety by their early advices, Therefore let no neglect lay on your side Properly to secure yourselves, in which and every thing else that relates to your Prosperity and happiness you may Depend on my hearty assistance.

B. Wentworth.

Council Chamber Nov. 29th 1743.

Two Paragraphs of a Letter to his Excellency from the Right Hon. the Lords Commissioners for Trade & Plantations.

[Copied from MS. Corr. in Secretary's office, Vol. 1, p. 177.]

"As to the Difficulties which you say in the same Letter that you are under with regard to the Petitions now lying before his Majesty from some of "the Inhabitants of the Massachusetts, which greatly prevent the increase of "the Province of New Hampshire; We know of no other Petition but that "presented by Tho's Hutchinson of Boston, Esq. relating to the line of "Townships, which Petition having been referred to the Board, We did report that we could not advise his Majesty to comply with the Prayer thereof "and are informed that no farther application has been made thereon."

"You will therefore do well to direct your Agent to apply at the Council "Office, for a determination upon that report, and to transmitt hither a very "full state of the Difficulties you lye under, which you apprehend are at "present an Impediment to the settling of that Province. So we bid you "heartily farewell, and are,

your very loving Friends and humble servants

Monson
M. Bladen
B. Keene
Ja. Brudenell
R. Plumer."

The Speaker pray'd the favour of a copy of the above speech which was ordered by his Excelency & then the House withdrew to y^r own room.

Adjourned till tomorrow at 11 o'clock, forenoon.

[P. 199.] At a Council & General Assembly holden at Portsm^o according to adjournment on Wednesday Nov. the 30th 1743.

Present his Excelency Benning Wentworth, Esq. Governor.

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Smith	
Ellis Huske		John Downing	
		Saml Solly	

His Excelency sent Mr. Downing & the Secretary to the House to read to them a Letter from the Lords Justices and an acc^t of the Powder officers and a Paragraph of a Letter from the Right Honble the Lords Comissioners for Trade & Plantations & a copy of the conference between the Governour & the Indian loans which two last were left with the House.

Adjourned till tomorrow 11 o'clock A. M.

Thursday Decemb^r 1, 1743. Met according to adjournment.

Present [as before, except Saml Smith, Esq.]

A Petition of Jedediah Philbrook as agent for Mary Foulsham [P. 200.] & others Praying to be Enabled by a special act to Divide an Estate with their fellows. Read & sent down to the House by the Secretary—and alsoe

A Petition of Andrew Gillman about Brentwood Parish with the report of the Comittee sent to view s^d Parish.

The Petition of Jedediah Philbrook &c. bro't up from the House with a vote of the House thereon read & laid on the table.

Adjourned till tomorrow 11 o'clock A. M.

Fryday December the 2^d 1743. Met according to adjournment.

Present his Excelency Benning Wentworth Esq. Governor.

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Smith	
Ellis Huske		John Downing	

A mess^a from the House by Mr. Wentworth with the Petitions of sund^ry Inhabitants of Somersworth Praying for Town Priviledges &c. and a vote of the House thereon and alsoe

A vote of the House for choice of a Comittee to Enquire about hireing a House for the Governor.

Adjourned till tomorrow at 11 o'clock.

[P. 201.] Saturday December the 3d 1743. Met according to adjournment.

Present [as before.]

His Excelency sent the Secretary to the House to acquaint them that he had adjourned the General Assembly till Monday the 5th Inst then to meet at Portsmo at 2 o'clock in the afternoon.

Monday December the 5th 1743. Met according to adjournment.

Present [as before.]

Adjourned till tomorrow 11 o'clock A. M.

[P. 202.] Tuesday, December the 6th 1743. Met according to adjournment.

Present [as before, except Saml Solly Esq.
instead of Saml Smith, Esq.]

Mr. Saml Gillman & Mr. Richd Jennes from the House to acquaint his Excelency that the House were setting in the Council Chamber that the Court of Qr. Sessions might have Liberty to sit in the Court House—and alsoe bro't up a vote of the House Desireing the Council to Pass upon the Table of fees now lying before the board which was read at the board & laid upon the Table.

Adjourned till 4 o'clock P. M.

Met again according to adjournment.

His Excelency sent a messe to the House by Mr. Wibird & the Secretary to acquaint them that he had ordered the Secy to lay the Table of fees as offered by the Comittee before the Attorney General togeather with sundry queries thereon—That as soon as he had his answer to those Queries which he soon expected he should Lay it before the Council for their vote thereon & Doubted not but they would concur with what should be tho't reasonable who returned that they had Delivered the message.

Adjourned till tomorrow morn 11 o'clock.

[P. 203.] Wednesday December 7th 1743. Met according to adjournment.

Nothing lying before the Board the Council is adjourned till tomorrow 11 o'clock.

Thursday the 8th of December 1743. Met according to adjournment.

Present his Excelency Benning Wentworth Esq. Govr.

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Smith	
Ellis Huske		John Downing	
		Saml Solly	

Mr. Tod from the House bro't up Brintwood Petition & papers & vote of the House thereon for Dismissing the same—and alsoe

A vote of the House for calculating an Act to enable the present recorder to perfect some records left in the office unfinished by [P. 204.] former recorders which last vote was concurr'd by the Council & assented to by his Excelency.

Adjourned till 11 o'clock tomorrow morn.

Fryday December 9th 1743. Met according to adjournment.

Present [as before.]

Mr. Thompson from the House bro't up the West End of Dover Petition for a Parish & vote of the House for choice of a Comittee to view the Town & report thereon which was read & concurred & Saml Smith & John Downing Esqs. added to the Comittee and assented to by the Governour.

Mr. Elkins Bro't up the Petition of Thos Lane & vote of the House thereon for allowing the Petitioner 40*s* in full for his service and attendance on the Court of Comission^rs while they set at Hampton on the affairs of the Lines which vote was concurred by the Council and assented to by the Governour.

Andrew Gillman and others Petitioners of Brintwood Desireing the favour of having their Petition & Papers sent to the House in order to a reconsideration of the Houses vote for Dismissing the same. It was granted & the Petition & Papers Delivered to Coll. Gillman one of the members in order to a reconsideration.

[P. 205.] The Petition of ——— McClary as agent to & in behalf of the Proprietors of the Town of Epsom Praying that a special act might be made to aid them in assessing & collecting their Taxes which was read & sent down to the House.

Adjourned till tomorrow 11 o'clock A. M.

Saturday December the 10th 1743. Met according to adjournment.

Present [as before.]

An act to Enable the recorder of Deeds to Perfect the Entrys & Records of the Late recorder read a first Time & laid on the table.

Adjourned till Monday next at 3 o'clock P. M.

Monday December the 12th 1743. Met according to adjournment.

Present [as before.]

[P. 206.] There not being a Quorum of the House, his Excelency adjourned the General Assembly till tomorrow 11 o'clock A. M.

Tuesday December the 13th 1743. Met according to adjournment.

Present [as before.]

A messa from the House to Enquire weither the Council had acted upon the Table of fees.

Vote for Establishing a Table of fees for one year pas'd in Council & send down by the Secretary.

Alsoe a Petition of Mary Macris Praying a support out of her former husbands estate &c.

Alsoe the following Messa from his Excelency to the House, viz.

That he could not pass any act that would superseed or repeal any act in force without a suspending clause therein that it should not take effect till his majestys Pleasure was known & if they would pass such an act he would forward it & endeavor to get the royal assent thereto—& that he Imagined the vote of Council sent down would answer the end proposed for the Present.

Mr. Thompson from the House bro't up the vote of Council this day relateing to the Table of fees concurred by the House with an amendment read.

[P. 207.] Adjourned till tomorrow 11 o'clock A. M.

Wednesday December 14th 1743. Met according to adjournment.

Present [as before, alsoe]

Joseph Sherburne, Esq.

A messa By the Secretary from his Excelency to the House to acquaint them that he could readyly assent to the vote of Council of yesterday relateing to the Table of fees which he was fully

assured would answer all the ends Proposed by the House for the Present but that he could not assent to the vote of the House thereon as it now stands, but if the House would calculate an act with a suspending clause till his Majestys Pleasure should be known he would readyly assent thereto—and to Leave the vote referred to above with the House for their consideration—who returned he had don the Mess^{a} & left the vote according to Directions.

Adjourned till tomorrow 11 o'clock A. M.

Thursday Decemb^{r} 15th 1743. Met according to adjournment.

Present [as before.]

[P. 208.] A Petition of Andrew Gillman and about 40 others Inhabitants of Brintwood Praying for a Parrish &c. read.

A message from the House by Messrs Stevens & Gillman with a vote of the House on the Table of fees.

And an act to authorize certain persons to make a Division of the Estate of one John Foulsham Late of Exeter in s^{d} Province Deceased — Intestate — and alsoe an act about Highways.

Mr. Elkins from the House bro't up the Petition of Andrew Gillman & others with the vote of the House thereon.

A mess^{a} from the House by Mr. Clarkson & Robie to desire the Liberty to withdraw the vote of the House on the Table of fees &c.

The Secretary sent to the House with the above vote Desired in a Mess^{a} by Mr. Clarkson &c.

Adjourned till to morrow 11 o'clock A. M.

Fryday December the 16th 1743. Met according to adjournment.

Present [as before except]

Joseph Sherburne, Esq.

Mr. Walton from the House bro't up a vote for the choice of a Comittee to Draw Instructions to the agent in Great Brittain in relation to the Petitions Lodged there by the Mass^{a} agents & [P. 209.] others which s^{d} vote was concurr'd by the Council and assented to by the Governor.

Adjourned till to morrow 11 o'clock A. M.

Saturday December 17th 1743. Met according to adjournment.

Present [as before.]

A message from the House with a vote about a Table of fees — read & Laid on the Table — read again & concurr'd and assented to by the Governor.

His Excelency the Governour ordred the Secretary to goe to the House and adjourn the General Assembly til Monday next the 19th Inst. at 10 of the clock A. M. which was accordingly done.

Monday December 19th 1743. Met — There not being a Quorum of the House the General Assembly is adjourned till to morrow 11 o'clock A. M.

[P. 210.] Tuesday December the 20th 1743. Met according to adjournment.

Present [as before.]

Adjourned till to morrow 11 o'clock A. M.

Wednesday December 21, 1743. Met according to adjournment.

Present [as before.]

Nothing lying before the Council the General Court is adjourn till to morrow 11 o'clock A. M.

Thursday Decemb^r 22^d 1743. Met according to adjournment.

Present [as before.]

[P. 211.] Messrs. Thompson & Tod from the House bro't up an act to Enable Ann Rindge Administratrix upon the Estate of John Rindge Esq. Deceased to reconvey a Piece of land to John Hall and

An act for granting to his Majesty the sum of £786: 13: 4 for supply of the Treasury for the Discharge of sund^y Demands on the Province in the s^d act mentioned — which were read a first time & Laid on the Table.

Mr. Wallingford bro't up from the House a vote for the Purchasing 8 barrels of Powder for fort Wm. & Mary and a vote for supply for the Indians at Canterbury — and an act Impowering the Judge of Probates to do sundry things in that Court not before granted — and another act Enabling Alexander McGregore to obtain a Judgm^t ag^st . . . . Morton at the Superiour Court which

by accident was heretofore omitted in s^d Court at the time of ye appeal.

Mr. Tod from the House bro't up the vote of the House for payment of ye Council & representatives out of the money in the Treasury for payment of Contingencies which was read — as was alsoe the several Bills bro't up this day, a second time.

Adjourned till to morrow 11 o'clock.

Fryday December 23^d 1743. Met according to adjournment.

[P. 212.] Present [as before.]

Vote of the House for Councils & Assemblys allowance and the vote for the Govern^r receiving £200 out of the Treasury as part of his Sallary were read and concurr'd and assented to by his Excelency.

All the acts bro't up this Session read at the Council Board a Third Time and then

Adjourned till to morrow 10 o'clock, A. M.

Saturday December 24th 1743. Met according to adjournment.

Present [as before, except] Saml Solly Esq.

Mr. Stevens from the House bro't up a Bill for the Payment of the Minister of New Castle a sum of money for services as Chaplain to Fort Wm. & Mary — and a vote for an allowance to the Sec^y for Extraordinary services & a Petition of Mr. Recorder Peirce relateing to some Entries in the records made by former Recorders & not Perfected all which was read & laid on the Table.

[P. 213.] Mr. Gage from the House bro't up the Houses answer to his Excelency's mess^a relateing to a Truckhouse.

His Excelency sent the Secretary to the House to Enquire weither any thing would come up this forenoon — if not to

Adjourn the General Assembly till Tuesday next at 11 o'clock A. M.

Tuesday December 27th 1743. Met.

There not being a Quorum of the House his Excellency ordred the General Assembly to be adjourned till to morrow 11 o'clock which was accordingly done.

At a Council and General Assembly holden at Portsm° according to adjournm^t on Wednesday December the 28th 1743.

Present his Excellency Benning Wentworth, Esq. Govr.

George Jaffrey
Jotham Odiorne
Henry Sherburne
Ellis Huske
} Esqs.

Theodore Atkinson
Richd Wibird
} Esqs.

[P. 214.] Mr. Stevens from the House bro't & Delivered to his Excelency the Houses answer to his Excelencys speech made the 29th of November last which was read at the Council board & is as follows viz.

The answer of the House of Representatives to his Excelency's Speech November 29, 1743.

May it please your Excelency

We the Representatives of his Majestys Province of New Hampshire in General Assembly convened having duely considered your Excelencies Speach beg leave to make the following answer—

We cannot but with grateful *resentment* acknowledge the great concern of the Lords Justices for our welfare & safety by their early Comands to your Excelency to put the Province in the best Posture of Defence.

Your Excelency is Pleased to tell us that his Majestys Council readyly offered you all the assistance in their Power. We can assure your Excelency we shall be ready to do our Part not only in this but in every part Else that we think will be for the safety & Defence of his Majestys good subjects whom we represent.

And as to your Excelencys Interview with the Indians & their request (in the mean Time) of being supply'd with sundry stores of goods in order to comence a Trade We have answered by our vote of the 22^d curr^t That no disappointment may ensue (on our Part) upon any reasonable Engagements of your Excely^s to that People to Prevent the Proposed Interview with them.

[P. 215.] Relateing to what your Excelency recomend to us as to the Expiration of our acts upon which the Paper currency of the old Tenor was Issued we shall make Enquiry into & as soon as we know the state of the Governm^t on those heads shall be ready to do our part in every respect that may be conducive to the Hon^r & Intrest of the same.

In case your Excelency should take a journey to view the frontiers We have taken care that Provision be made for it.

With respect to the Penalties of those Laws obleidging the Towns to Provide Stores of Warr we apprehend that is sufficient as it is regulated this session by a vote for one year relateing to fees fines forfeitures & Penalties.

With respect to what your Excelency mentions of Transmitting to his Majesty an Exact survey or map of the Province and that it remains with us to Provide for it We are humbly of opinion that there is full Provision made already for that Purpose in the Loan Bill.

In regard to what is further recomended to us in making Provision for a House for your Excelency agreeable to your desire we have chosen a Comittee for that service and shall be ready to do our part that your Excelency may be accomodated with a suitable House & Put to no further Inconveniency about it.

[P. 216.] As to the Deduction in the Powder money your Excelency mentions to be contrary to the Express letter and meaning of the act when we have those acc^ts of powder money Laid before us & we finde in them any Deduction by the receiver general or any misapplication otherwise we will do our Endeavour that act may be strictly put in Execution that the revenue for

the future may come into its Proper Channell that no Infraction may be made hereafter.

Your Excelency further recomends to us that you may be furnished with the Transactions of the Government in obedience to his Majestys Instructions which we have answered by our vote of the 23d currt.

In regard to the Two Parragraphs of a Letter of the right Honble the Lords of Trade and Plantations which your Excelency was Pleased to Comunicate to the House we answered by our vote of the 16th currt.

In every thing your Excelency recomended to us in your Speach we have acted as we Judge will be most for the Honr of his Majesty and the Prosperity of the good subjects we represent.

Andw Wiggin.

December the 28th 1743.

Mr. Stevens alsoe bro't up a vote of the House for granting to his Excelency the sum of Twenty five pounds for Defraying his Expences in visiting the frontiers which vote was concurr'd by the Council & assented to by the Governour.

[p. 217.] At a Council & General Assembly held at Portsmo according to adjournmt on Thursday December 29th 1743.

Present his Excelency Benning Wentworth Esq. Governor.

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theodore Atkinson Richd Wibird Saml Smith John Downing Saml Solly	Esqs.

Mr. Jenness from the House bro't up a vote for the Payment of Mr. Blunt & Mr. Shurtleff's allowance as Chaplain to the fort Wm. & Mary which was concurred by the Council and assented to by his Excelency.

His Excelency sent the Secy to the House with the following message to Enquire weither they had done any thing about a Truck master & stores for the Indians at Canterbury — and alsoe to acquaint them that he tho't it necessary to have an augmentation of soldiers at fort Wm. & Mary.

Messrs. Saml Gilman & George Walton Esqs bro't up a messa from the House to his Excelency to acquaint him that the House had considered his message relateing to the Truck master & supply of the Indians &c. & that the House were unanimously Determined to adhere to their vote of the 22d Inst on that head.

His Excelency sent a written messa to the House by the Secretary [p. 218.] & Mr. Smith in answer to their Messa by Mr. Gillman & Walton of this day and alsoe to read a Letter from Mr. Bastied his Majestys Ingineer about the fort &c.

Adjourned till tomorrow 11 o'clock.

Fryday December 30th 1743. Met according to adjournment.

Present [as before.]

Mr. Elkins from the House bro't up a vote for the appointing a Comittee to Treat about the hireing a House for his Excelency & to report thereon which was concurred and a Comittee added by the Council & assented to by his Excelency.

Mr. Towle bro't up from the House several accts and votes of allowance thereon — viz. An acct of Joseph Moulton junr for carrying Treasurers Warrts to ye several Towns.

And acct of Messrs. Richd & Thomas Wibird for sundry supply the Indians.

And acct of Mary Seward Entertaining the Indians which were severally concurred by the Council and assented to by the Governor.

Adjourned till tomorrow 11 o'clock.

[P. 219.] Saturday December 31, 1743. Met according to adjournment.

Present [as before.]

Mr. Israel Gillman Bro't up the Treasurers Acct & Comittees of Auditts report thereon and a Vote of the House for allowing the same — which was concurred by the Council and assented to by his Excelency the Governour — the balance Due to the Province from sd Treasurer is £13 : 5 : 6.

Then his Excelency adjourned the General Assembly to Tuesday the 3d of Jany to meet at Portsmo at 10 o'clock in the forenoon.

At a Council & General Assembly holden at Portsmo pr adjournmt on Tuesday Jany the 3d 1743–4 at 10 o'clock A. M.

Present his Excelency Benning Wentworth Esq. Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theodore Atkinson Richd Wibird Saml Solly	Esqs.

There not being a Quorum of the House his Excelency adjourned the General Assembly till tomorrow 10 of the clock A. M.

[P. 220.] Wednesday Jany the 4th 1743 — Met and adjourned till tomorrow 10 o'clock A. M.

Thursday Jany 5th 1743 — Met according to adjournment.

Present his Excelency Benning Wentworth, Esq. Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Richd Wibird John Downing Saml Smith Saml Solly	Esqs.

Capt. Wallingford from the House bro't up the Petition of Richd Perrey & Joseph Langmaid soldiers at Fort Wm & Mary & the House's vote of Allowance thereon which was concurred by the Council & assented to by his Excelency—

Alsoe the Draft of Instructions to the agent about the Mass^{a} Petitions filed before his Maj^{sty} in Council about the Land of this Province — as drawn up & presented by the Comittee appointed for that End which was approved of by the Council and assented to by the Governour.

[p. 221.] Mr. Towle from the House bro't up the Petition of the Inhabitants of Sumersworth Praying for an addition to their Parish & for Town Priviledges &c. & the vote of the House thereon for the choice of a Comittee to view the Parrish &c. which was concurred by the Council & assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

Fryday, Jany 6th 1743 — Met according to adjournment.

Present [as before, also] Ellis Huske Esq.

An Act in adition to several Acts for repairing highways read a third time & passed in Council and assented to by the Governour.

Mr. Packer & Elkins from the House bro't up the vote of the House for remitting to Mr. Agent Thomlinson fifty pounds sterling to Prosecute the affair of the Massachusetts Petition about the Prov: Lands near the Line &c.

And alsoe a vote for paying the soldiers at Fort William & Mary half a year's wages from March last — Both which votes were concurred at the board and assented to by the Governour.

The Act relateing to the fileing reasons of Appeal read a 2^{d} & 3^{d} time & passed to be Enacted.

[p. 222.] Adjourned till tomorrow 10 o'clock A. M.

Saturday Jany 7th 1743 — Met according to adjournment.

Present [as before, except] Ellis Huske Esq.

Mr. Wallingford from the House bro't up a vote for granting to his Excelency £37 : 10 for house hire repairs &c. which was read & laid on the Table.

His Excelency sent the Sec^y & Mr. Solly to the House with a written Mess^a to ask weither the House intended to make any further supply for the defence of the Province — or for the supply of the Indians at Canterbury — or for an Interview with the Indians both which he had promised.

Adjourned till 4 o'clock P. M.

Met again according to adjournment.

His Excelency sent the Secretary to the House to acquaint them that he had adjourned the General Assembly till Tuesday the 21 day of Feby then to meet at Portsm° at 11 o'clock A. M.

[P. 223.] At a Council & General Assembly holden at Portsm° according to adjournment on Tuesday Feby 21 1743 — By adjournment from ye 7 Jan. last.

Present his Excelency Benning Wentworth, Esq. Governour.

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Smith	
Joseph Sherburne		John Downing	
Ellis Huske		Saml Solly	

His Excelency send the Secretary to the House with the following papers & message, viz. A Letter from Mr. Scales of Canterbury relating to the Indian trade there.

Alsoe a Petition from Sund^ry Indians relateing thereto.

And alsoe to recomend to their consideration the accommodating his Excelency with a house upon some certain terms & that his Excelency recommended a speedy Determination of these things Perticularly what relates to the Indian affairs — that the sessions might be short

Mr. Clarkson & Odiorne with a message from the House in answer to that part of his Excellencys message by the Secretary relating to Mr. Bastide his Majestys Inginier Desiring to be Informed weither the Inginier was acquainted with what was already Pass'd by the General Assembly.

2dly Inasmuch as that Letter from the Inginier says in it it is an answer to a Letter rec^d from his Exc^y — the House supposing it [P. 224.] might be a Letter of Publick concerns (1) only they Pray'd the favour of seeing it if his Excelency approved thereof.

Adjourned till tomorrow 11 o'clock A. M.

(1) See Mr. Bastide's Letter in "Journal of the House," p. 223.—Ed.

Wednesday Feby 22^{d} 1743 — Met according to adjournment.

Present [as before.]

His Excelency sent the Secretary to the House with the several Letters that passed between him & his Maj^{tys} Inginier relating to the Fort which were Enquired after yesterday by Mr. Clarkson &c.

Mr. Jenness from the House bro't up a message to the Council in writing Enquiring weither the Council had passed upon the vote of the House of the 6th of Jany relating to the money offered by Mr. Mark Wentworth & others for beginning the repairs of the fort Wm & Mary.

And alsoe a vote of the House for the paym^{t} of Jotham Odiorne & others the Comittee for signing & Putting into the Treasury the sum of £980 — which was concurred at the board and assented to by his Excelency.

And alsoe a vote of the House for the choice of a Comittee to view the Goal & make report what repairs were necessary to be made which vote was concurrd & a Comittee added & assented to by the Governour.

[p. 225.] Mr. Tod bro't up a message in writing from the House relating to a Trade with the Indians in answer to his Excelencys message of yesterday, viz. That that affair Lay under consideration till next sessions.

Mr. Wibird & Solly with a message from the Governour & Council with the objections to the House's vote of the 7 Jany last relating to Borrowing money of Private Persons.

His Excelency sent the following message to the House in writeing by the Secretary, viz.

Gentlemen —

The reasons you are pleased to give in your Mess^{a} of this day to me for Letting the Block house & Indian Trade lay under consideration — are the only reasons why they ought to come under the consideration of the General C^{t}. Immediately — but herein I have faithfully discharged my Duty to my King and to my Country — therefore if your refusal to Act in this has an ill Tendency I have nothing to answer for.

B. Wentworth.

Council Chamber 22^{d} Feby 1743.

A Petition of Daniel Meader a Quaker & constable of the Town of Durham Praying relief in that he had by the Selectmen of s^{d} Durham a list of rates committed to him to collect to Pay Mr. Adams a former minister a certain sum &c.

Read & voted that the Selectmen be notifyed to appear the 3^{d} day of the next sessions at the cost of the Petitioner.

[p. 226.] A Petition of Samuel Adams & Joseph Drew as a Comittee of the Town of Canterbury praying some aid of the General Assembly in building a Bridge over Suncook river — read & sent down.

Adjourned till to morrow 11 o'clock a. m.

Thursday the 23d Day of Feby 1743— Met according to adjournment.

Present [as before.]

Mr. Kenney from the House bro't up the Petition of Daniel Meader with the vote of the House thereon concurring with the vote of Council of yesterday with an amendment — which 8d vote was read at the board & concurr'd and assented to by his Excelency.

Adjourned till to morrow 11 o'clock A. M.

Fryday Feby 24th 1743— Met according to adjournment.

Present [as before.]

[P. 227.] The. Petition of Samuel Adams & Joseph Drew Praying the help of the General Court in order to the building a Bridge over Suncook river.

And the vote of the House for granting £50 towards it upon certain conditions which vote was concurr'd at the board and assented to by the Governour.

Alsoe a vote of the House for borrowing money of Theodore Atkinson Esq. & others for repairing of the Fort — read & Laid on the Table.

And alsoe a memorial of the Kings Attorny for an allowance of sundry services don by him in which the fees allowed were not a suitable recompence & a vote of the House thereon allowing £10 which was read & Laid on the Table.

His Excelency sent the Secretary to the House to acquaint them that he had adjourned the General Assembly to Wednesday the 28th of March next then to meet at Portsmo at 10 of the clock A. M.

Province of New Hampshire.

At a Council & General Assembly holden at Portsmouth pr adjournment on Wednesday March 28th 1744.

Present his Excelency Benning Wentworth, Esq. Governour.

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Smith	
Joseph Sherburne		John Downing	
Ellis Huske		Saml Solly	

[P. 228.] His Excelency Proposed to the Council his Issuing a Proclamation for a General Fast thro'out the Province to be observed & kept the 12th day of April next to which the Council Did advise.

Thursday March 29th 1744. Met according to adjournment.

Present [as before, except] Saml Smith, Esq.

His Excelency Comunicated to the Council a Letter from the Lords Justices of the 3d September Last Directing his Excelency to Put the Province into a Posture of Defence and alsoe a Letter from his Excelency Wm. Shirley Esq. Governour of the Massachusetts making a Tender of Delivering fort Dumer to his Excelencys order (1) &c. which Letters were returned from the House with the following message viz. That the House desired the contents of the sd Letters might Lay under Consideration.

His Excelency ordred the Secretary to acquaint the House that he had adjourned the General Assembly to Tuesday the 17th Day of April next at 10 o'clock before noon — then to meet at Portsmo — and accordingly the General Assembly was adjourned.

[p. 229.] Province of New Hampshire.

At a Council & General Assembly holden at Portsmo by adjournmt on Tuesday the 17th of April 1744.

Present his Excelency Benning Wentworth, Esq. Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theodore Atkinson Richd Wibird Saml Smith John Downing Saml Solly	Esqs.

His Excelency sent the Secy to Lay before the House a copy of an act Passed in the Massa Government against the giveing in that Governmt a currency to the Road Island Paper money Emitted after the year 1742 & to acquaint the House that he tho't an act of that nature would be necessary to be passed in this Province —

And that he desired the House would Proceed upon ye Business recomended to them before the last adjournment.

Mr. Packer from the House bro't up a Vote for the relief of Wm. Canada a Prisoner in the Province Goal which was read at the board & concurred & assented to by his Excelency.

Mr. Towle from the House bro't up the Secys accts for Paper &c. & vote of the House for allowing the same which was concurred by the Council & assented to by his Excelency.

Adjourned by his Excelencys order till to morrow morning 10 o'clock.

(1) The letter from Whitehall cannot now be found. See Gov. Shirley's letter in "Journal of the House," p. 226.—Ed.

[P. 230.] Wednesday April 18th 1744. Met according to adjournment.

Present [as before, also] Joseph Sherburne Esq.

A petition of sundry Persons Liveing at a Place call'd Timber lane in Kingston Praying for Town Priviledges &c. read & Laid on the Table.

A Petition of John Langdon & Tobias Lear Praying to be Enabled by an act to Divide some Land to & amongst the Proprietors thereof which Land Lyes in Exeter — read

A Petition of Sundy Persons Inhabitants in Almsbury district Praying to be Incorporated into a Township all which were read & sent down to the House pr John Downing, Esq.

Adjourned till Eleven Clock to morrow A. M.

Thursday April 19th 1744. Met according to adjournment.

[P. 231.] Present [as before.]

Mr. Thompson from the House bro't up the Petition of Messrs. Langdon & Lear as entred the 17th inst. with the vote of the House thereon Granting Liberty to the Petitioners to Bring in a Bill &c. which was concurr'd by the Council & assented to by the Governour.

Alsoe a vote of the House for the choice of a Comittee to view the Governours house &c. and to make a report what will be necessary to be don thereon — which vote was read & the board concurr'd & a Comittee added & assented to by the Governour.

Alsoe a vote of the House as an additionall allowance of £12: 10 — for his Excelencys visiting the frontiers — read & concurr'd by the Council & assented to by the Governour.

His Excelency adjourned the Generall Assembly to Wednesday the 9th of May next then to meet at Portsmo at 10 o'clock in the forenoon — & the Secy sent to the House to acquaint them thereof which was accordingly don.

Province of New Hampshire.

At a Council & General Assembly holden at Portsmo according to adjournment on Wednesday May the 9th 1744.

[P. 232.] Present

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Smith	
Joseph Sherburne		John Downing	
Ellis Huske		Saml Solly	

The Petition of Ebenezr Hinsdale & Josiah Willard senr Esqs. in behalf of the Inhabitants at or near Connecticut river Praying

some assistance of men & money in fortifying & Defending that part of the Province agst the Enemy which was read & sent down to the House.

Adjourned till to morrow 10 o'clock A. M.

Thursday May the 10th 1744. Met according to adjournment.
Present [as before except] Richd Wibird Esq.

Mr. Elkins from the House bro't up their vote relating to the Printing &c. Sund^{y} Province Laws read.

Adjourned till to morrow 11 o'clock A. M.

Fryday May the 11th 1744. Met according to adjournment.
Present his Excelency B. Wentworth, Esq. Governour.
[P. 233.] [all the Councilors.]

Mr. Thompson from the House bro't up their vote for paying Francis Tucker his acc^{t} for nurseing &c. Mr. Canada — a sick prisoner.

And alsoe for an allowance to Richard Hall for nurseing &c to the s^{d} Prisoner, both by order of the General Court — which votes were concurred by the Council & assented to by the Governour.

Mr. Israel Gillman bro't up from the House the Petition of Ebenz^{r} Hinsdale & Josiah Willard Esqs. as Entred the 9th inst & vote of the House thereon suspending the consideration thereof till the report of a comittee appointed in March last to view the sund^{y} settlements referred to in the s^{d} Petition shall be made to his Excelency.

Mr. Elkins from the House bro't up a vote for reviveing a vote for ye choice of a Committee to overhall the Papers in the Register's office & sort them which was concurrd by the Council & assented to by the Governour.

The Vote of the House bro't up yesterday for the Secretary's taking a List of the Acts not Printed & Laying them before the General Assembly read at the Board & concurrd & assented to by the Governour.

[P. 234.] Also the vote of the House of the 29th March last appointing a Comittee to visite the Western frontiers read at ye Board & concurrd & a Committee added and assented to by the Governour.

Ordered That the hearing on the Petition of Daniel Meader ordered to be heard this Day be further Deferrd to the Third Day of the next sitting of the Generall Assembly.

The Comittee appointed to view the Town of Dover & make a Draft of the Land Petitioned for by the West End of s^{d} Town &

by Sumersworth gave in their report & Draft &c. which was ordered to Lay upon the Table.

Mr. Elkins from the House bro't up the Petition of Thomas Drew about a forged Deed & the vote of the House thereon which was read & ordered that it Lay upon the Table.

His Excelency ordered the Sec^y to acquaint the House that he had adjourned the General Assembly to Tuesday the 19th Day of June next then to meet at Portsm^o at 10 o'clock A. M. which was accordingly Don.

Province of New Hampshire.

At a meeting of his Maj^tys Council & the members of Assembly holden at Portsm^o on Wednesday May 23^d 1744 being called togeather by his Excelencys Circular Letters to Each representative to appear this day.

[P. 235.] Present in Council

His Excelency Benning Wentworth, Esq. Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theodore Atkinson Samuel Smith John Downing Saml Solly	Esqs.

His Excelency sent a message to the representatives by the Sec^y to desire the attendance of the Speaker & members in the Council Chamber which being don the Speaker & House came up accordingly and his Excelency made the following speech, viz.

Gentlemen of the Council and Assembly—

I have in obedience to his Maj^tys Comands laid before you long since his repeated orders for putting the Province under my comand in such a Posture of Defence as to repel the French in case of an attack and it gives me great concern that the royal orders have not produced Effects more essential for the Defence of his Majestys Province and subjects.

The War declared by the King against France will consequently open an Indian War the consideration whereof I am hopeing will stir up a Zealous concern in you for the Publick safety.

The undoubted authority I have of a French warr occasions my assembling [P 236.] you in this extraordinary manner—my motive for keeping the General Assembly heretofore under short adjournments was the Possibility of receiving the Intelligence of a warr when the Assembly was setting hopeing I might then receive the necessary aid from you to Enable me not only to pay a Due obedience to my royal Master's comands but to Provide for the Defence of the Province.

His Maj^tys Fort William & Mary the only guard to our Sea Coasts & navigation Demands your Particular attention and upon due reflection you will finde how necessary it is to make an augmentation of men for that Garrison.

The naked condition of our Infant & Inland frontiers require your compassionate regards Especially when you reflect that the collecting these Inhabitants has been a work of more than thirty years and should they abandon their settlements & Disperce themselves into different governments for want of Protection it would not only be a reproach to the government but a work of more time to regain their numbers.

Consider Gentlemen with great tenderness the Distress the Inhabitants on

the frontiers are in at this juncture and make their unhappy situation your own: Consider them as every day Exposed to a surprise from the Enemy & that if you neglect Provideing for their security they will become an Easey Pray to a cruel & Barbarous Enemy & should that be the case you must be [P. 237.] answerable for every Individual that Perrishes through your neglect.

You Gentlemen are esteemed as the Imediate guardians under Heaven of these unfortunate People—they dayly lye open to Danger and from you they are to expect Protection and if a compassionate regard to your fellow creatures will not move you to it Give me leave to say they have a natural right to demand it and further that upon your absolute refusal I shall be esteemed guilty of the breach of royal orders if I give rest to myself until I have discharged my obligations to his Majestys distressed subjects which must be effected in a more extraordinary way & manner.

I have nothing to answer for on my part neither can I charge myself with the least neglect having given Timely notice of the approaching Danger and directed to such measures as I apprehended conducive to the comon safety until the Exposed partes received the succour of the Government.

Upon the first act of Hostility comitted by the Indians against any of his Majestys subjects of this or the neighbouring governments I shall instantly declare warr against them In which case your sentiments will be necessary what bounty on scalps I may engage to those that apply to me for Comissions [P. 238.] for that End intending by it that the bounty shall Extend only to such as sustain Comissions under me & those who are actually Inhabitants of this Province.

Gentlemen of the Council and Assembly

On the Importance of these affairs I demand your advise & assistance and in such a manner as you will ratify & confirm by acts or otherways as necessity may require when I meet you in General Assembly.

What measures I think necessary to be taken beside what I have mentioned to support against the present warr shall be communicated to you and my sentiments thereon in which I hope for your cheerfull concurrence.

B. WENTWORTH.

Council Chamber
May 23d 1744.

The Speaker pray'd the favour of a copy & withdrew. The Secretary by his Excelencys order carry'd a copy to the House & Delivered it to the Speaker.

Adjourned till 11 o'clock tomorrow morning.

His Majestys Council met again according to adjournment on Thursday May 26th 1744.

Present in Council

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theodore Atkinson Saml Smith John Downing	Esqs.

[P. 239.] The representatives sent an Answer to his Excelencys speech of yesterday in writing and is as follows, viz.

The answer of the House of Representatives to His Excelency speech of May 23d 1744.

May it please your Excellency

We the House of representatives being met by the Sec^ys Letter by your Excelencys order have duly considered your Excelencys Speech to us, and are heartily glad to finde your Excelency so full of concern for our wellfair and at the same time must say on our part that we have been & are as full of Tenderness & compassion for our constituents & families and all others his Maj^tys subjects of this Province as of our own & if your Excelency will please to look back on our vote of the seventh of Jany last wherein we Provided the sum of six hundred and fifty pounds Proclamation Money by borrowing the same at six pr cent pr annum and appointed a Comittee for the Expending the same on Fort Wm & Mary which vote was sent up to his Maj^tys Council and at another sessions of General Assembly on Feby 22^d 1743–4 this House sent up to the Council Board a written message to know if they had acted thereon, but to this day have not any answer, as alsoe so long time since as December the 28th 1743 this House voted money for your Excelencys Expence [P. 240.] in viewing the frontiers & an adition made to that sum on the 19th of April last past but have not yet heard what has been don thereon.

As to your Excelencys keeping the Assembly under short adjournments we should have been extremely well Pleased had the last adjournment been much shorter as we were then dayly expecting of news from Great Brittain of great importance which by what your Excellency now mentions to us is the Declaration of a French Warr but it now unluckily happens that we stand adjourned to the 19th of June next so cannot act authoritatively—however we shall do all thats possible under the present scituation and as to the Distressed circumstances of our Infant Settlements we can't we think be chargeable for any neglect before God or man.

May it Please your Excelency

We are very sensable in what relation of Guardianship we stand to the People & can't possible think that we can be justly charged with any breach on our part.

And upon the whole Its the unanimous Resolution of the House of Representatives That your Excelency be desired forthwith to raise Two hundred men for one month to be Imployed in covering the frontiers & that on our meeting at the Present adjournment to pay them after the rate of Twenty shillings pr month & finde them Provisions & amunition, that is, half a Pound of Powder Each & Twenty bullets three flints and that your Excelency [P. 241.] Direct the Treasurer to make Provision accordingly & that the officers be paid in proportion to the soldiers according to the last muster rolls.

And^w Wiggin, Speaker.

May 23^d 1744.

Which above answer being read at the Council board the Question was put by the President weither the Council did joyn with the representatives in advising his Excellency to raise the two hundred men &c. mentioned in their above s^d Answer — to which his Maj^tys Council did unanimously advise & consent.

His Excellency sent the Sec^y to the House with the following message in writing, viz.

Gentlemen of the Assembly

I thank you for the assistance you have so cheerfully given me for the Defence of his Maj^tys subjects which shall be Imployed in the most usefull manner for the Defence & Protection of the frontiers.

Before I dismiss this Convention of the members of General Assembly it will be very agreeable to me to know the sentiments of the Assembly what Premium I may Promise for scalp money if the Indians should give occasion to Imploy men in that service before I meet you in General Assembly.

[p. 242.] I think it alsoe necessary to be provided with a number of whale boats for the use of Merrimack river & the great Pond which I conceive would strike greater Terror in the Enemy than any other expedient I can at present think of. Winñipissiokee Pond has been the Asylum & safe retreat of the Indians in former warrs after they had comitted Hostilities on our frontiers and if they are driven from that Quarter by a number of Whale boats I am perswaded our frontiers will be more secure than in past Warrs.

B. Wentworth.

Which message was Delivered to the House & return thereof made to his Excellency.

The following vote of the Representatives was sent to his Excelency by one of the members viz.

In the House of Representatives May 24, 1744.

Resolved that in case the Indians make any rupture on the English settlements between this & the 19th of June next (and his Excelency shall Declare Warr against them) That this House desires his Excelency to Commission voluntiers to hunt & seek the Indians where they can finde them & to take or Destroy them & that for every scalp or Indian such voluntiers shall bring in his Excelency may Engage the payment of fifty pounds for every such scalp or Indian that shall be bro't in by those acting under his Excelency's Comission — as alsoe that for the Two hundred [p. 243.] men that are to guard the frontiers if they shall bring in any scalps or Indians to be paid five pounds for each scalp or Indian and that this House at their sessions in June next will take care to make an act for the payment of such scalp money.

James Jeffrey Cler. Assm

His Excelency sent the Secy to acquaint the members of the House that he had nothing further to lay before them at this time.

Province of New Hampshire.

At a Council & General Assembly Holden at Portsmouth (according to adjournment from the 11th day of May) On Tuesday June the 19th 1744.

Present his Excellency B. Wentworth Esq, Governour.

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Smith	
Joseph Sherburne		John Downing	
Ellis Huske		Saml Solly	

His Excellency sent a message to the House by the Secretary requiring their attendance at the Council Chamber — which was done & the Speaker & House came up accordingly.

[P. 244.] His Excellency made a speech to both Houses which is as follows — viz.

Gentlemen of the Council and Assembly—

I gave you the earliest notice of his Majestys Declaration of War against the French King that was in my power by convening the members of the General Assembly for their advice & assistance, the Transactions of the convention Demands your attention at this time.

I have made a Disposition of the Two hundred men advised to be raised for the service of the Government, in a maner that will contribute most for the Benefit of the Exposed frontiers, Except my two scouts which I have Imployed partly in making a more perfect discovery of the road to the great Pond Winnipissioka from Rochester & Canterbury and partly to gain a knowledge of the Lands contignous to the Pond.

Soon after I had dismissed the Convention I rec^d by his Maj^tys comand from his Grace the Duke of New Castle the Kings Declaration of Warr against France which I Proclaimed with the usual & customary formality on the like occasions.

The French Kings Declaration of War against his Majesty, is so full of the grossest & most Indecent misrepresentations & reflections upon his Majestys conduct that it should animate every true Englishman to resent the Indignities [P. 245.] offred their Sovereigne and this Government in Particular is under singular obligations to take all opportunities not only to Distress the French in their settlements, to annoy them in their Trade & commerce, but to enact the most rigorous & severe Laws to prevent their being supplyed with arms ammunition warlike stores or Provisions of any kind whatsoever.

It was the desire of the Indians that Inhabit & hunt on our frontiers to have an Interview with me at Portsmouth & in consequence of their request I pointed out a time that was agreeable to them, upon my apprising the General Assembly of this Congress to Enable me to Defray the Expence that must attend it, Instead of an ample Provision for that service the vote fell so far short that no allowance for any subsequent charge that my Engagements were absolutely defeated which gives me no small concern on the event of the war.

I have in the recess of the General Assembly advised with some of the members of both Houses respecting the Imediate repairs that are necessary to be made for fort William & Mary Upon this advice I have given the needful directions which are now Executing with all Possible Dispatch and the advice of both Houses will be allways agreeable to me when consistant with the comand I bear under my royal master, what other repairs are absolutely required to put this garrison in a proper Posture of Defence I make no doubt of your readyness to provide for.

During the Warr it will be of the greatest importance to have a fund [P. 246.] lodged in the Treasury for the occations of Government That all Imergencies in the recess of the Court may be Provided for, and drawn out of the Treasury by the Government with the advice of his Maj^tys Council.

Gentlemen of the Assembly

It is a maxim in all governments that ye frontiers should be maintained, that it is easier to Prevent evils & mischiefs than to remedy them — therefore I am Determined if you will grant the necessary aids with all expedition to open a way to Winipissioca Pond to erect a Block House there, to place Ten whole Boats under the Protection thereof. Then to open the road to & from Canterbury to the river Merrimack or where it may be most convenient on the Pond — there to erect another Block house thereby a constant communication may be maintained between these two Block houses by water which I apprehend will strike a greater Terror into the Indians than they have hitherto met with in former wars & be a means to Preserve our frontiers & in some degree Prevent their Entring into a warr.

Gentlemen

I must recomend to you to make a further addition of officers & men to Fort Wm & Mary with suitable subsistence for them and let no millitary Preparations effectually to Prosecute the war or that may be for the Hon^{r} of the government or the Preservation of the lives or fortunes of his Maj^{tys} subjects, pass your regards.

The Northern Governments have universally tho't it serviceable in order to render themselves usefull to one another & to protect their Trade from the Insults of the Enemy to fit out a ship of war to Defend their seacoasts & I am Persuaded a vessel properly armed would be of very great service to this Government which you will do well to Deliberate and resolve upon.

[P. 247.] His Excelency Governor Shirly has transmitted to me what has passed in the General Court of the Massachusetts respecting Comissioners to meet at Albany where his Excelency Governor Clinton has an interview with the six Nations of Indians.

Governor Shirley has alsoe caused what passed in the General Court in regard to reinforcing his Majestys Garrison at Annapolis royal to be transmitted to me which I think worthy your regard as the Preservation of that Garrison by any assistance we can afford will not only tend to the Intrest of the Province but be a singular Instance of our gratitude to his Maj^{ty} for his Peculiar regard extended to this Province — Both of which the Secretary shall lay before you with the advise of his Majestys Council on the former.

Gentlemen of the Council and Assembly

In this critical conjuncture I hope you will heartily unite in the Protection of your country & let all Private affairs give place to the great concern of your countrys safety & Defence. I shall with the utmost Diligence give my strictest attention & nothing shall divert me from the service of my master in Defending this Province which I hope you will make the standard of your conduct.

B. Wentworth.

Council Chamber in
Portsmouth, June 19th 1744.

[P. 248.] Of which speech the Speaker Desired the favour of a copy which was granted & Delivered to them and then the House return to their own House.

Adjourned till tomorrow 11 o'clock A. M.

Wednesday June 20th 1744. Met according to adjournment.

Present

George Jaffrey	Esqs.	Theodore Atkinson
Henry Sherburne		Richard Wibird
Joseph Sherburne		Saml Smith
Ellis Huske		John Downing

George Walton Bro't up from the House a vote for the choice of a Comittee to Draw & report an additional act about the militia which vote was read & Concurr'd & a Comittee of Council added and assented to by the Govern^{r}.

Mr. Israel Gillman bro't up from the House a vote for the choice of a Comittee to Draw a Plan of what is most necessary to be done for carrying on the Present Warr & to make an Estimate of the charge & how to raise money to defray the same.

Adjourned till tomorrow 10 o'clock A. M.

Thursday, June 21st 1744. Met according to adjournment.

Present [as before, alsoe]

Saml Solly, Esq.

[P. 249.] Mr. Tod from the House Bro't up a vote for the choice of a Comittee to Draw an Act to prevent Persons supplying his Majestys Enemies with Amunition & Provision which was read & concurred & a Comittee of Council added and assented to by the Governour.

The vote of the House sent up yesterday for the choice of a Comittee to report on the war affairs read at the board & concurr'd & a Comittee added — and assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

Fryday June 22^d 1744. Met according to adjournment.

Present his Excelency Governour Wentworth.

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Smith	
Joseph Sherburne		John Downing	
Ellis Huske		Saml Solly.	

The Comittee appointed to make an Estimate of the Charge &c that will be necessary for carrying on the Warr made their report which was read & sent down by the Sec^y.

His Excelency Informed the Council that he had lately Impress'd a number of small Arms which he Imagined belonged to his Majesty & that he had lodged them in his Majestys Fort — [P. 250.] that this Day Mr. Prescott had demanded the s^d Arms as belonging to him & his Property and asked the advice of his Majestys Council what he should do thereon. To which the Council did advise that the s^d arms should Lay in the s^d fort till his Excelency could be further informed of the Property thereof.

Adjourned till tomorrow morning 10 o'clock.

Saturday June 23^d 1744. Met according to adjournment.

Present [as before, except] Saml Solly, Esq.

His Excelency asked the Council's advice weither he should order a fast thro'out the Province to be observed on the 28th instant to Implore the Divine Blessing on his Maj^ys Arms &c. to which the Council did advise & consent.

Colonel Gilman bro't up a vote of the House Desiring his Excelency to order one hundred & fifty men to scout and guard the frontiers — which was read at the Board & concurred with & assented to by his Excellency.

Alsoe a vote for Impressing fifty men to work on repairs of fort

William & Mary which was alsoe read & concurred & assented to by the Governour.

[P. 251.] His Excelency adjourned the General Court till Monday the 25th Inst. at 12 o'clock.

Monday the 25th June, 1744. Met according to adjournment.

Present

[Councillors as before.]

Adjourned till tomorrow 10 o'clock A. M.

Tuesday, June 26th 1744. Met according to adjournment.

Present his Excelency the Governour.

[and Councillors as before.]

Mr. Jona Thompson from the House bro't up a vote relateing to a fortification to be built at Winnipissioca Pond to cost fifteen hundred pounds.

Mr. Richard Jennes from the House bro't up a vote for strikeing & Emitting Two Thousand five hundred pounds for repairing fort Wm & Mary.

[P. 252.] Mr. Thomas Wallingford bro't up a vote of the House for strikeing & Emitting the sum of five thousand five hundred pounds for Payment of soldiers Purchasing Powder Amunition Small Arms Provisions & for scalp money.

Capt. Israel Gillman bro't up a vote for choice of a Comittee to audit the Treasurers & all other accounts of the Province bro't in this sessions.

Adjourned by his Excelencys order to Monday the 2d day of July 1744 at 12 o'clock.

Monday July the 2d 1744. Met and adjourned till tomorrow 10 o'clock A. M.

Tuesday July 3d 1744. Met according to adjournment.

Present his Excelency Governor Wentworth.

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne Ellis Huske	Esqs.	Theodore Atkinson Richd Wibird John Downing	Esqs.

[P. 253.] Mr. Walton bro't from the House Coll. Wiggins acct for wheels & Carriages for the guns at Fort William & Mary amo

to £62 : 13 — & vote of the House for allowing the same & Payment thereof — read.

Coll. Wallingford from the House bro't up a vote for the choice of a Comittee of both Houses for telling the money to be burnt this sessions which was concurr'd at the Board & a Comittee added & assented to by the Governour.

Mr. Elkins bro't up from the House a vote for an allowance to Mr. James Jeffrey for his service as Clerk to the Assembly to the 25th June Last.

Adjourned till tomorrow 10 o'clock A. M.

Wednesday July 4th 1744. Met according to adjournment.

Present [as before, also]

Saml Smith, Esq.

The Council came to a resolve about the Emission of Paper money & sent a written messa to the House thereof.

Adjourn'd till to morrow 10 o'clock, A. M.

[P 254.] Thursday, July 5th 1744. Met. Nothing lying before the Board — Adjourned till to morrow 9 o'clock.

Fryday July 6th 1744. Met according to adjournment.

Present [as before.]

Resolved that a Comittee be appointed by the General Assembly to Purchase materials for the fort Wm. & Mary & to auditt the accts thereof & lay the same before the General Assembly — sent down.

Capt. Walker from the Assembly bro't up the resolve of Council of this day relateing to a Comittee for Purchasing materials for fort Wm. & Mary &c. non concurr'd by the House.

And alsoe a Resolve of the House relating to the repairs & materials for sd Fort &c. which was read.

[P. 255.] Adjourned till to morrow 10 o'clock A. M.

Saturday July the 7th 1744. Met according to adjournment, and — Adjourned to Monday the 9th inst. at 12 o'clock.

Monday July 9th 1744. Met. Nothing lying before the Council — adjourned till to morrow 9 o'clock A. M.

Tuesday July 10th 1744. Met according to adjournment.
[P. 256.] Present [as before.]

A message from the House by Majr Stevens to Enquire if the Council had passed upon the accts for Gun-Carriages, Wheels &c. In answer to which the Secretary was ordred to acquaint the House that those accts were not passed upon but lay under consideration. Adjourned till to morrow 10 o'clock A. M.

Wednesday July 11th 1744. Met. Nothing comeing from the House the Council is adjourned till to morrow 10 o'clock.

[P. 257.] Thursday July the 12th 1744. Met. Nothing coming from the House the Council is adjourned till to morrow 10 o'clock A. M.

Fryday July 13th 1744. Met — & Adjourned till to morrow at 10 o'clock.

Saturday July 14th 1744. Met according to adjournment,
Present [as before.]

Mr. Stevens from the House bro't up two acts Passed in the House, viz. An act Prohibiting any Comerce or Correspondence with his Majtys Enemies and one other for re-enacting & reviveing the District act — which was read at the board.

Adjourned by his Excelencys comand to Tuesday next at 10 o'clock before noon.

[P. 258.] At a Council & General Assembly holden at Portsmouth according to adjournment on Tuesday July 17, 1744.

Present

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne Ellis Huske	Esqs.	Theodore Atkinson Richard Wibird John Downing	Esqs.

A message from the House to Enquire weither the Council had

passed upon the vote of the House of the 6th Inst. relateing to the choice of a Comittee to Purchase materials &c.

An answer to the above messa from the Council by Mr. Wibird & the Secretary to acquaint the House that the Council had not acted on the sd vote Imagining that such a Comittee must be appointed in act mentioned in sd vote.

Adjourned till to morrow morning 10 o'clock.

Wednesday July the 18th 1744. Met according to adjournment.

Present his Excelency Governour Wentworth.

[Councillors as before.]

Mr. Elkins from the House bro't up a vote Desireing his Excelency to send Thirty men to scout at Canterbury & Contoocook &c. which was concurr'd by the Council and assented to by ye Governour.

[P. 259.] Adjourned till to morrow morning 10 o'clock.

Thursday July the 19th 1744. Met according to adjournment.

Present [as before.]

Mr. Israel Gillman from the House bro't up a vote for a Comittee to Inspect the repairs of fort Wm. & Mary &c. which was read at the board & concurr'd & a Comittee added & assented to by his Excelency.

A Petition of Sundy Inhabitants of the Town of Exeter Praying to be sot off from the Ministry there & to maintaine a minister amongst themselves & the vote of the House thereon to notify the sd Town to shew cause if any why the Prayer of the sd Petition should not be granted — read & concurr'd by the Council and assented to by his Excelency the Governr.

A Petition of Daniel Jackson &c. of Portsmouth to dock an Intail on a House Lot in Portsmo 'foresd & vote of the House thereon — read.

A Petition of Jona. Palmer & Fog to be Poll'd off from North [P. 260.] Hampton & a vote of the House for notifying the Parish of North Hampton to shew reasons if any they have why the prayer of the Petition should not be granted — read & concurred by the Council & assented to by his Excelency.

A Bill Enabling the heirs of Kinsley Hall late of Exeter Deceased to Divide the sd Estate read & sent down.

Adjourned till tomorrow 9 o'clock A. M.

Fryday, July 20th 1744. Met according to adjournment.

Present [as before.]

Mr. Tod from the House bro't up an act for Borrowing £450 of Private Persons for repairs of the fort Wm. & Mary &c. read

And alsoe a vote for raiseing one thousand pounds for carrying on the war &c. read.

Adjourned till to morrow 10 o'clock.

Saturday July 21, 1744. Met according to adjournment.

[P. 261.] Present [as before.]

The act for divideing the Estate of Kinsly Hall Deceased read a third time & pass'd in Council & assented to by the Governour.

Resolved That Thursday next be appointed for the hearing on Meaders Petition & the Selectmen of Durham & that all Parties take notice accordingly.

The vote of the House of yesterday for Emitting £10000 read again & sent down to the House for an amendment.

Mr. Thompson from the House bro't up a vote for a Tax of £1000 to supply the Treasury this year which was read at the board & concurr'd & assented to by the Governour.

Adjourned till Tuesday next 10 o'clock A. M.

Tuesday July 24th 1744. Met according to adjournment.

Present [as before, except his Excelency the Governour.]

[P. 262.] There not being a Quorum of the House adjourned till to morrow 10 o'clock before noon.

Wednesday, July 25th 1744. Met according to adjournment.

[Councilors present as before.]

Mr. Walton from the House bro't up a vote for the choice of a Comittee to Draw an act for the Tax of £1000 to be raised according to a vote of the General Assembly of the 21st inst.

Fifteen Petitions from sundry Towns on the frontiers for men &c. for their Defence &c. read & sent down to the House by the Secy.

The Comittee appointed for Telling & bringing in to the General Assembly & burning the money from the Treasury made report that they had recd & burnt the following sums —

Part of the £15000 Loan the sum of . . .	$771 : 2 : 0
Part of the Tax the sum of	1122 : 6 : 1

Adjourned till to morrow 10 o'clock A. M.

Thursday July 26th 1744. Met according to adjournment.

Present his Excelency the Governour.

[Councilors as before.]

[p. 263.] Meaders Petition that was ordred to be heard on this day was sent down to the House recomend —

Adjourned till to morrow 10 o'clock A. M.

Fryday July the 27th 1744. Met according to adjournment.

Present [as before, except his Excelency the Governour.]

Mr. Tod bro't up from the House an act for a Tax of £10000 for supply of the Treasury which was read.

Alsoe a vote of the House for sending an Indian Lately bro't into Town to fort Dumer & supplying him with necessarys & for pay Mr. Spofford for conducting the sd Indian to fort Dumer the sum of £17 : 10 concurr'd by the Council and assented to by the Governr.

His Excelency asked the advice of Council weither he should grant his warrt on the Treasury for the allowance made to the aforesaid Spofford to which the Council did advise & consent.

Mr. Walton from the House bro't up a vote for an allowance to Benja Acreman (as Door keeper) which was concurred by the Council and assented to by the Governour.

[p. 264.] At a Council & General Assembly holden at Portsmo according to adjournment on Saturday July 28th 1744.

Present his Excelency Governour Wentworth.

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Smith	
Joseph Sherburne		John Downing	
Ellis Huske			

The votes of the House of the 26 June Last for raising money for building a fort at Winipissioca Pond & other charges of the warr concurred by the Council.

Mr. Thompson from the House bro't up a vote for subsisting sundry small scouts in the frontiers & for an adition of five men to fort Wm & Mary read & sent down for an amendment and returned from the House as before which was read again & concurred by the Council and assented to by the Governour.

His Excelency asked the advice of the Council weither he should grant his Warrant on the Treasury for Payment of the severall allowances made this sessions to which his Majtys Council Did advise & consent.

His Excelency adjourned the General Assembly to Tuesday the 21st Day of August next at 10 o'clock A. M.

At a Council & General Assembly holden at Portsm° according to adjournment on Tuesday the 21st Day of August 1744.

Present

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne	Esqs.	Theod. Atkinson Richd Wibird Saml Smith John Downing	Esqs.

[P. 265.] Adjourned till tomorrow 10 o'clock forenoon there not being a Quorum of the House.

Wednesday August the 22d 1744. Met according to adjournment.

Present his Excelency Governour Wentworth.

[Councilors as before.]

His Excelency assented to ye vote of ye House of the 26th of June for emitting £5500 for charges of the war with a suspending clause That the Act drawn up on sd vote should not take effect till his Majtys Pleasure should be known thereon & sent the Secy to the House to acquaint them thereof and alsoe that he could not assent to the vote of the same day for money for a fort at Winipissioca for the Insufficiency of the Fund therein mentioned & that he advised to the choice of a Comittee to Draw an Act on the first mentioned vote.

Adjourned till 9 o'clock tomorrow morning.

Thursday August the 23d 1744. Met according to adjournment.

[P. 266.] Present [as before.]

Mr. Israel Gillman bro't up a vote of the House of this day desireing his Excelency to employ forty men in scouting the frontiers near Canterbury &c. which was read at the Council & concurr'd & assented to by the Governour.

Adjourned till tomorrow morning 10 o'clock.

Fryday August the 26th 1744. Met according to adjournment.

Present [as before.]

Mr. Roby from the House bro't the Petition of Daniel Jackson & others Praying to have an Entail of a House & Land in Portsm° Docked &c. & a vote of the House thereon for Liberty to the Parties to bring in a bill which was read at the board & concurred by the Council and assented to by his Excelency.

Mr. Elkins from the House bro't up a vote for paying out of the Treasury £126 to Thirty men scouting at and near Canterbury to furnish them with Provision & alsoe for paying to Capt. Henry Sherburne the sum of £10 in part of his former services which was read at the board & concurr'd & assented to by his Excelency the Governour.

[P. 267.] Mr. Stevens bro't up the vote of the House Enabling one parte of Methuen to assess themselves to the minister, school & poor &c. & for Excepting those in s^d District that live in Dracut.

Adjourned till tomorrow 10 o'clock A. M.

Saturday August 25th 1744. Met according to adjournment.

Present [as before.]

A Petition of the Inhabitants of the West End of Dover for a Parish & vote of the House thereon & on a motion made by the agents of the Town the consideration of s^d vote is suspended till the 3^d day of the next Sitting of the General Assembly, and all persons concerned are to take notice & govern themselves accordingly.

The Petition of Jon^a Palmer & Daniel Fogg Praying to be poled off from North Hill to Rye & the vote of the House thereon for Dismissing the same read & concurr'd by the Council & assented to by the Governour.

Mr. Thompson bro't up a vote of the House for an addition of 5 men to fort William & Mary for one month, read & concurr'd by the Council and assented to by the Governour.

[P. 268.] Coll. Peter Gillman from the House bro't up a vote for an allowance for hireing a house for his Excelency which was concurr'd by the Council & assented to by his Excelency.

Resolved That the hearing on Daniel Meaders Petition and the vote of the House thereon for dismissing the same at this Board be deferred till the 2^d day of the next sessions, & all Parties to attend accordingly.

His Excelency adjourned the General Assembly to Tuesday the 25th day of September next then to meet at Portsm° at 10 o'clock A. M. & sent the Sec^y to acquaint the House thereof.

At a Council & General Assembly holden at Portsmouth according to adjournment on Tuesday September the 25th 1744.

Present

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne	Esqs.	Theodore Atkinson Richd Wibird Saml Smith John Downing	Esqs.

His Excelency sent the Secretary to acquaint them that he had adjourned the General Assembly to Monday the 29th Day of October next at 10 o'clock A. M.

Monday October the 29th 1744. Met according to adjournment.

[P. 269.] Present

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne Ellis Huske	Esqs.	Theodore Atkinson Saml Smith John Downing Saml Solly	Esqs.

His Excelency sent the Secretary to the House with a Messa recomending to their consideration the making Provision for the safety of the Province with regard to the war, either by addressing his Majesty for men, or Leave for his Excelency to make money for discharging the charge of the Warr or Both as they tho't proper & Desired they would Proceed upon this Recomendation without taking any other matter under consideration.

Adjourned till tomorrow 10 o'clock A. M.

Tuesday October the 30th 1744. Met according to adjournment.

Present [as before.]

The Petition of Daniel Meader & vote of the House thereon sent up the 25th August Last read & sent down to the House for their consideration.

His Excelency sent the Secretary to the House with the agreement made between Mr. Thomlinson & others & Mr. Tufton Mason, for their Perusal & Consideration.

[P. 270.] The President alsoe sent a Letter to the House he rec'd by the Last Ship relateing to stores for fort Wm & Mary which was accordingly read in the House.

Adjourned till tomorrow 10 o'clock A. M.

Wednesday October 31st 1744. Met according to adjournment.

Present [as before.]

Saml Gillman Esq. bro't up a bill in adition to an Act Intituled An Act to Enable the Proprietors of the Township of Nottingham in sd Province the better to Transact & Carry on the affairs of sd Propriety—read a first time.

Adjourned till tomorrow 10 o'clock A. M.

Thursday November the 1st 1744. Met according to adjournment.

Present [as before.]

A Petition of Sundry Inhabitants of Londonderry Praying to be Incorporated into a Township & vote of the House thereon granting in part the Prayer thereof—read.

Adjourned till tomorrow morn 10 o'clock A. M.

[P. 271.] Fryday November 2d 1744. Met according to adjournment.

Present [as before.]

Adjourned by his Excelencys Order to Tuesday the 27th day of this Inst November at 10 o'clock A. M.

Tuesday the 27th of November 1744. Met according to adjournment. Adjourned by his Excelencys order to Tuesday December the 18th 1744.

Tuesday December the 18th. Met according to adjournment.

Present [as before.]

Adjourned till tomorrow 10 o'clock A. M.

[P. 272.] At a Council & General Assembly holden at Portsm° on Wednesday December the 19th 1744.

Present

George Jaffrey Jotham Odiorne Henry Sherburne Joseph Sherburne	Esqs.	Theodore Atkinson Richd Wibird John Downing Saml Smith	Esqs.

His Excelency sent the Secretary to the House with the following message, viz

To acquaint them that there is now an owner for the fifty Arms he lately Impressed & Lodged in his Majestys Fort Wm & Mary & that he had Promised either that the s^d owner should be paid for his arms or have them Delivered to him & therefore Desired their Imediate resolve that he might act accordingly.

And alsoe to Desire they would come to some resolve on the affairs of Mason & Thomlinson Agreement.

Mr. Jennes from the House with a vote for choice of a Comittee to meet with Mr. Prescott about the arms mentioned in his Excelencys mess^a of this day which was read & a Comittee added & concurred & assented to by the Governour.

And alsoe An Act the better to Enable the Proprietors of Nottingham — which was again read & Passed to be Enacted.

Adjourned till tomorrow 10 o'clock A. M.

Thursday December the 20th 1744. Met according to adjournment.

[P. 273.] Present his Excelency the Governour.

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		John Downing	
Joseph Sherburne		Saml Smith	

Maj^r Stevens bro't up from the House Coll Gillman's muster Roll & his acc^t of Provision & vote of the House thereon for allowing the same — read & Laid on the Table.

Adjourned till tomorrow 10 o'clock.

Fryday December 21st 1744. Met according to adjournment.

Present

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Richd Wibird	
Henry Sherburne		Saml Smith	
Joseph Sherburne (1)			

Coll Wallingford from the House bro't up a vote for raising Twenty one men to scout the frontiers for two months this winter.

And a vote for Providing Snow shoes &c. in each Town in the government.

A Petition of sundry Persons on the West End of Dover Praying to be set off as a Parish & the vote of the House thereon read

(1) Joseph Sherburne died at Portsmouth the latter part of December, 1744, aged 64. He was one of the Provincial councillors from 1733 to the time of his death.—ED.

& the Parties heard at the board & the Question was put weither the board would concur with the vote of the House & it passed in the Negative nemine contradicente.

Adjourned till tomorrow 10 o'clock A. M.

[P. 274.] Saturday December the 22d 1744. Met according to adjournment.

Present [as before.]

His Excelency sent the Secretary to the House to acquaint them that he had adjourned the General Assembly to Monday the 31st Inst. which was accordingly Don.

Monday December the 31st 1744. Met according to adjournment.

Present [as before except] Saml Smith Esq.

The Council sent the Secretary to the House with a resolve relateing to the fees, fines & forfeitures &c. that they should be taken till the 25th of December next by all officers &c. as they had been the last year — send down for concurrence.

Adjourned till tomorrow 10 o'clock A. M.

At a Council & General Assembly holden at Portsmo according to adjournmt on Tuesday Jany 1st 1744 —

Present his Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Theodore Atkinson	Esqs.	Richd Wibird John Downing Saml Smith	Esqs.

[P. 275.] His Excelency sent the Secretary to the House to Enquire weither they had acted upon the resolve of Council send down yesterday relateing to fees, fines, forfeitures &c.

And to Enquire weither the House had acted any thing upon the Indenture between Mr. Agent Thomlinson & Mr. Tufton Mason and to ask for the sd Indenture.

Mr. Jennes from the House bro't up a resolve of the House relateing to fees, fines &c. which was concurred by the Council and assented to by the governour.

And alsoe a vote about snow-shoes which was read & Laid upon the Table.

A message from his Excelency to the House to acquaint them that their resolve about fees &c was concurred & assented to by the Governour.

And alsoe that their Vote about snow-shoes being calculated to have an Act Drawn for which there would not be time at present & therefore that vote must Lay & that he advised the several members of the House to acquaint their respective Towns that it would be the first thing the next Assembly would act upon & to urge them to be prepared.

And alsoe to require the attendance of the speaker & house in the Council Chamber — which was Don & the Speaker & the House came up accordingly & were admitted — the Governonr made a speech to Both Houses which is as follows — viz.

Gentlemen of the Council and Assembly

[P. 276.] A speech from the chair to both Houses on this occasion may be Esteemed by some unnecessary, but having higher & better authority for it than my own & in consideration of the advancing difficulty in regard to the war, I am Persuaded my taking leave of you in this manner will neither be Improper or Disagreeable to those that seek the Prosperity of the Government.

The Triennial Act (tho' not to be found in the proper office) has lately come into my hands which occasions my Dissolving the General Assembly at this Time. I am sensable many things might have been done which Lay before you, but as the multiplicity of Publick concerns could not be Effectually Executed without breaking in upon the Time, when, I am apprehensive every hand & Every branch of Power will be fully Imployed in Pursuing measures that may conduce to the comon safety in a most Extraordinary way, I therefore think it for his Majestys service & the Interest of the Province to call a new Assembly with all the Dispatch the nature of the thing will admit of.

Gentlemen of the Assembly

For the obedience you have paid to his Maj^tys^ comands you now receive my thanks — at the same time I would not forget the Instances of your regards to me as the King's Governour.

War is a Calamity to all Kingdoms, Countrys & Provinces & tho' conducted with the nicest frugality heavy & great charges will arise & should the supplys you have made in support of the war fall short or any other affair that time would not permit you to finish, your successors I am in no Doubt will make ample Provision therefor.

[P. 277.] *Gentlemen of the Council & Assembly*

I have Particular satisfaction in observing to you That since my accession to the government you have succeeded in all your Publick Applycations to his Majesty, some of which have been of an Extraordinary nature by which means many Publick things will be carryed on without Taxing the People.

I am very far from assuming the least merit to myself, but if it proceeds from any good oppinion his Majesty or his ministers may have received of us from our past conduct, let us be very solicitons not to forfeit it by any undutifull or unbecoming behaviour hereafter.

The operations of the approaching year with respect to the war calls for our most serious attention, & Least Intestine Jarrs & animositys should Invade the State I think it my duty to my King & my country to recommend that the Ensueing Election may be your peculiar care, & that so far as your influence extends you advise the People in the respective Towns you represent to the choice of such persons to represent them in the next General Assembly as will promote Peace & a good agreement in the three branches of Government, men that will act upon principalls of Truth & Justice, men that will Disdain to betray their Country into Expensive Disputes that must Inevitably wound the Publick & Issue in Disorder & confusion.

B. WENTWORTH.

Council Chamber in Portsm^o^
Jany the 1st 1744–[5.]

[P. 278.] Then the secretary by his Excelencys comand Declared the General Assembly Disolved—& accordingly y^y withdrew.

His Excelency asked the advice of the Council weither he should Issue Precepts for convening a new Assembly Imediately to which the Council did unanimously advise & consent.

Here Ends the first General Assembly convened by Governour Wentworth.

Here follows the Titles of the several Acts Passed this Sessions, viz. being the 6th Sessions of the first Assembly.

An act in addition to & for rendering more Effectual an Act for the better regulating High Ways.

An act against filing reasons of appeal—Whereas by an act Intituled an act for Establishing Courts of Publick Justice within this Province it is Enacted that every person appealing from any Judgment of any Inferiour Court to a Superiour Court of Judicature shall file his reasons of appeal fourteen days before the sitting of the Court appealed to, &c.

An act to Enable the Superiour Court of Judicature to enter Judgment upon a Complaint omitted in reason.

An act for granting to his most Excelent Majesty the sum of seven hundred Eighty six Pounds thirteen shillings & four pence in Bills of Credit [P. 279.] Equal to Proclamation money for & towards the Defence & support of his Majesties Province which sum will be paid into the Treasury this Present year by a Tax on the Poles & Estates of the Inhabitants Pursuant to an act made & Passed the third day of April one thousand seven hundred & forty two.

An act to Enable an Administratrix to convey a certain Parcel of Land.

An act to Enable the recorder of Deeds and Conveyances in this Province to Perfect the Entries & records Left unfinished & not certifyed & attested & otherways Imperfect, which the present Recorder has represented & that he was not authorized & Impowered to Perfect & authenticate the same & that many Persons might be injured unless the same was done.

An act to authorize certain Persons to make a Division of the Estate of one John Foulsham Late of Exeter in s^d^ Province, yeoman, Deceased Intestate.

An act for Reviveing an act Passed in the fifteenth year of his Maj^tys^ reign for certain Districts in this Province.

An act to Prevent all Traitrous correspondence with his Maj^tys^ Enemies.

An act for confirming a Partition of certain Lands therein mentioned.

An act for supplying the Treasury with the Sum of four hundred & fifty [P. 280.] pounds borrowed of the Persons mentioned in this act & for repaying the same with Interest out of the Interest of the Twenty five thousand pounds Loan appropriated for the repair of his Majestys fort William & Mary & other things for Emitting the s^d^ Loan mentioned.

An act for supplying the Treasury with the sum of one Thousand pounds.

An act in adition to & for rendering more Effectual an act Entituled an act to Enable The Proprietors of the Township of Nottingham in s^d^ Province the better to Transact & carry on the affairs of s^d^ Propriety.

Province of New Hamp^r^.

Jany 24th 1744–5.

The High Sherriff of the Province made his returne upon the Precept for calling a new Assembly and the names of the Persons returned are as follows, viz.

Nathl Rogers, Esq, Mr. Henry Sherburne, Merch^t^ Eleazer Russell,	Portsm^o^
Thos. Millet Esq. Capt. John Wingate Thos. Wallingford, Esq.	Dover.
Saml Palmer Esq. Deac^n^ Jos. Philbrick	Hampton.
Peter Gilman Esq. Mr. Zebulon Giddings	Exeter
Wm. Frost, Esq. Mr. Jon^a^ Lock	Newcastle & Rye.
Ebenz^r^ Stevens, Esq.	Kingston.
Mr. John Wallace Sen,	Londonderry.
Mr. Meshech Wear (1)	Hampton Falls.
George Walton, Esq.	Newington.
Moses Leavit, Esq.	Stratham.
Capt Jon^a^ Thompson,	Durham.
Clm^t^ March Esq.	Greenland.
Capt. Israel Gilman,	New Market.
Joseph Jud,	South Hampton.
Mr. Benj^a^ Hills,	Chester.
Capt. Nicho. White,	Haverhill.
Mr. Henry Sanders,	Methuen & Dracut.
Joseph Blanchard Esq.	Dunstable & Litchfield.
Benj^a^ Rolf Esq,	Rumford.

(1) This is the first notice, on record, of Meshech Weare in public life. He died January 15, 1786, aged 73. It hence appears, that at this time he was about 32 years of age, and that he served the public most faithfully 41 years.—Ed.

Province of New Hampshire.

Anno Regni Regis Georgii Secundi Magnæ Brittanniæ Franciæ et Hiberniæ Decimo Octavo.

At a Council & General Assembly holden at Portsmouth on Thursday, January 24th 1744—Being the first sessions of the Second Assembly convened by his Excelencys Precept.

Present in Council

His Excellency Benning Wentworth Esq. Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Theodore Atkinson	Esqs.	Richd Wibird Saml Smith John Downing Saml Solly	Esqs.

[p. 281.] His Excellency adjourned the General Assembly till tomorrow 11 o'clock & ordered the Secretary to acquaint the returned members of the Assembly that were convened thereof—which was accordingly don.

Fryday, Jany 25th 1744—Met according to adjournment.

Present [as before.]

His Excellency sent Theodore Atkinson, Richd Wibird & Saml Smith, Esq. to administer the oaths appointed to be taken instead of the oaths of allegiance & supremacy to the several Persons Ellected & returned which was accordingly don & a return thereof made that they had administred the oaths to Twenty Three being all that was then present who each subscribed the oaths & Declaration.

His Excellency sent the Secretary to acquaint the Quallifyed members that he Directed them to make choice of a Speaker & Present him—which was done.

Adjourned by his Excellency's order till 4 o'clock p. m.

Met again according to adjournment.

The Sheriff made return of one member more who was Quallifyed as above by his Excelencys order.

[p. 282.] His Excelency sent the Secretary to the House with the following Messa viz.

To acquaint them again that it was his Direction to the members that had taken the oaths Imediately to Proceed to the choice of a speaker.

His Excelency sent the Secretary to the House to acquaint the returned members that he had adjourned the General Assembly till to-morrow 10 o'clock a. m.

Saturday, Jany 26th 1744 — Met according to adjournment.

Present [as before.]

A mess^{a} by Messrs Stevens, Wallingford, Gillman & Sherburne to acquaint his Excelency that the House had Proceeded to the choice of a Speaker & had made choice of Nathaniel Rogers, Esq.

His Excellency sent the following Mess^{a} to the House by Theodore Atkinson & Richd Wibird Esq. viz. That he desired to know weither all the members that were returned & had taken the oaths had been allowed to give their votes for a speaker — which was don & a return made.

Mr. Sherburne & Frost from the House with an answer to his Excellencys Mess^{a} of this day relateing to the voteing for a speaker — viz

[p. 283.] That those members that represented the Towns that heretofore usually sent representatives Voted for a speaker & those only.

His Excelency sent the following Mess^{a} to the House by Messrs Atkinson & Wibird — viz. That before he approved or disapproved of the choice of a Speaker he Desired to know the reason why all the members returned & sworn had not a vote in the choice of a speaker — which was done accordingly.

Messrs. Sherburne & Giddings bro't up the answer to his Excellency's last message, by Messrs. Wibird & Atkinson of this Day, viz. That the reason why the Persons returned from South Hampton, Methuen, Chester, Haverhill & Rumford were excluded from the choice of a speaker was because the House know of no Law usage or custom or order of the General Assembly of this Province Enabling these Places to chuse representatives.

His Excellency sent the following mess^{a} to the House by Mr. Atkinson & Wibird to acquaint the members that he apprehended the Writ for calling the present Assembly was Issued according to the constant custom & Practice of the Government heretofore & that he knew of no other method — if the House have any Presidents to the contrary he should be glad to see them that the business of the sessions may be Pursued.

Messrs. Sherburne & Winget from the House bro't up the following answer to the govern^{rs} last message — viz. That in the short time they have had they finde the following Presidents.

[p. 284.] In 1714 Kingstown had a vote of the House for the choice of a representative. In 1726 New Castle & Rye had a vote for the choice of a representative. 1732-3 Greenland Petitioned for Liberty to send a member to the Lower House which was Granted and therefore the House is of oppinion that no Precept should be sent to any Place without a vote of the Lower House or an Act of Assembly.

His Excelency sent the Secretary to the House with the following Directions — to acquaint the members that he adjourned the General Assembly till Monday next at Twelve of the clock that

in the mean Time he would examine for Presidents in the Present Dispute & that the House would alsoe make a further Enquiry.

At a Council & General Assembly holden at Portsm° according to adjournment on Monday Jany the 28th 1744—

Present his Excelency Benning Wentworth Esq. Govr.

George Jaffrey	Richd Wibird
Jotham Odiorne	Saml Solly—Esqs.
Henry Sherburne	

Adjourned till 4 o'clock P. M.

Met again according to adjournm^t.

Present as before.

There not being a Quorum of the Council to do business—adjourned till tomorrow half after Ten o'clock A. M.

Tuesday the 29th of Jany 1744—Met according to adjournm^t.

[P. 285.] Present [as before, also] John Downing Esq.

His Excelency appointed Richd Wibird, Esq. to officiate as Secretary during Theodore Atkinson Esqs. indisposition. Accordingly took an oath for the faithful discharge of that office.

A message from the House by Messrs Wear & Giddings to acquaint his Excelency there was a full House.

A message from his Excelency to the members returned to serve in General Assembly by Messrs Wibird & Downing to know weither they had any Law of the Province to Impower the setting aside any members chosen by virtue of the Kings writ to serve in Genl Assembly from voteing in the choice of a speaker.

A message from the members of the Genl Assembly to his Excelency by Messrs March & Frost viz.

[See this message in Journal of the House p. 264.]

A message from his Excelency the Governour by Messrs. Wibird & Downing, viz.

[See this message in full, in "Journal of the House," also a speech to the Council and Assembly, by his Excellency, pp. 264, 265, together with sundry letters and documents, p. 266.—Ed.]

Adjourned till tomorrow at 10 o'clock before noon.

[P. 290.] At a Council & General Assembly holden at Portsm° according to adjournm^t Wednesday Jany the 30th 1744—

Present

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Richd Wibird Saml Smith John Downing Saml Solly	Esqs.

His Excelency adjourned the Council till tomorrow 10 o'clock before noon & ordered the Assembly to be acquainted therewith which was accordingly Don.

Thursday Jany 31st 1744— Met according to adjournment.

Present his Excelency Govr Wentworth.

[Councilors as before.]

A mess^a from the House by Messrs Millet & Wear with the following votes, viz.

A vote of the House appointing Thomas Millet Esq. & Mr. Mesheeh Wear a Comittee to Enquire about the soldiers for the year Past & to receive the muster Rolls which vote was concurred by the Council & John Downing & Saml Solly Esq. added.

A vote to view his Maj^tys fort Wm & Mary.

A vote to receive & Examine the Treasury acc^t.

A vote to make Computation of what men may be necessary for ye Defence of the Province.

[P. 291.] Messrs Frost, Walton Wear & Lock from the House bro't up the House's answer to his Excelencys speech and is as follows, viz.

[See this answer in "Journal of the House" p. 268.]

A message from the House to Enquire weither the Probate act sent up for concurrence in December Last was concurred.

A message from his Excelency to the House by Messrs Wibird & Solly to acquaint them that Mr. Prescot who is the owner of the arms Impressed by his Excelencys order in June Last had sent a carriage for the s^d arms That if the House did not Propose to buy them he must in Justice to the owner Deliver them.

A vote from the House by Mr. Stevens relating to the records read & laid on the Table.

A message from his Excelency to the House by Mr. Wibird to acquaint them that the royal Bounty of stores which he Expected to secure the Province in all its weak approaches will amount to about sixty cannon with carriages & all other warlike stores to render them fit for service.

A message to the House by Mr. Wibird to acquaint them that the Carriages are waiting for the arms belong to Mr. Prescot which he must Deliver unless they Intended to buy them.

Mr. Gillman from the House bro't up a vote appointing a Comittee to Purchase Mr. Prescots arms, which was concurred, a Committee added by the Council and assented to by ye Governour.

[P. 292.] A message from the House by Mr. Gillman & Wear, viz. That the Comittee to wait on Mr. Prescots agent for representing to the Court that they could not obtain the arms without Twelve pounds Each which the House Determined not to give.

Adjourned till tomorrow 10 o'clock A. M.

Fryday the first day of Feby 1744— Met according to adjournment.

Present [as before.]

A message from the House by Jon^a^ Thompson to Desire the Probate bill might be withdrawn.

His Excelency ordered Sundry Papers he rec^d^ from Governour Shirley relateing to the Intend Expedition against Louisburg to be read at the Council board which was accordingly read, then asked the Councils advise about Laying a General Imbargo on all shipping in the Port which they unanimously advised to.

A message from the Council by Messrs Wibird & Downing with sundry Papers relateing to the Inten'd Expedition against Louisbourg to the House. Mr. Gillman from the House bro't up the votes relateing to the Intended Expedition against Louisbourg which was read.

[P. 293.] A message from his Excelency by Mr. Wibird to the House (& to return the s^d^ votes) to Desire there might be a Conference of both Houses respecting the Expedition aboves^d^ thinking it might be a more Expeditious method.

Adjourned till tomorrow 10 o'clock A. M.

Saturday Feby 2^d^ 1744— Met according to adjournment.

Present [as before, except Theodore Atkinson instead of Saml Smith, Esq.]

A message from his Excelency by Mr. Solley to the House for the sundry Papers relateing to the Intended Expedition ag^st^ Louisbourg.

Mr. Gillman from the House bro't up the Papers sent for by his Excelency by Mr. Solley.

The Comittee of Both Houses on the subject matter of the Intended Expedition ag^st^ Cape Britton made their report as on file which was read & sent down to the House.

[See this report in "Journal of the House," p. 272.]

His Excelency asked the advice of the Council weither he should grant his order to the officer at Fort William & Mary to Deliver the fifty small arms Lately Impressed for the service of the s^{d} Fort to Mr. Prescot to which his Maj^{ty} Council did consent and an order was accordingly given therefor.

[P. 294.] Clement March Esq. bro't up from the House a report of the Comittee on the Cape Britton affair and vote of the House for accepting the same which was concurr'd at the board and assented to by his Excelency.

Mr. Wibird from the Council carryed Down Two Proclamations tho't necessary to be Issued & to know if the House would allow the Expence of Printing them.

Messrs. Philbrook & Wear from the House to Enquire weither the board had acted upon the report of the Comittee relateing to the Cape Britton Expedition.

Mr. Wibird sent to the House to inform them that the s^{d} report was concurr'd by the Council & assented to by his Excelency.

Mr. Sherburne & Lock to acquaint his Excelency that the House were willing to be at the Expense of Printing the Proclamations sent down by Mr. Wibird if a Proper method for raising money for the Expedition could be hit upon.

His Excelency sent a message to the House by Messrs. Wibird & Solley to acquaint them that if they had any method to Propose for raising money for this charge he would receive it — if not he would venture to assent to a supply of the Treasury for the affair of Cape Britton in the same manner the Mass^{a} should do in the s^{d} affair.

Mr. Sherburne & Wear to acquaint his Excelency that the House were Preparing a vote for supplying the Treasury for defraying the Expence of the Intended Expedition agst Cape Britton & that they were willing to be at the charge of Printing any Proclamation his Excelency should think proper on the occasion.

[P. 295.] A Mess^{a} by Mr. Wear & Palmer to acquaint his Excelency that the House had nothing to send up this forenoon, that they Proposed if his Excelency or the Council had nothing to send down to adjourn for an hour.

P. M. A mess^{a} by Mr. Gillman to acquaint his Excelency that the House did not incline to appoint a Comittee to Look out for vessells for Transports for the s^{d} Expedition agst Cape Britton but had advised every member to make Enquiry of proper vessels.

Adjourned by his Excellencys order till Monday next at 10 clock A. M.

Monday Feby 4th 1744 — Met according to adjournment.

Present his Excelency Governour Wentworth.

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theod. Atkinson Richd Wibird Saml Smith John Downing Saml Solley	Esqs.

Major Stevens from the House to Inform his Excelency & Council that they were calculating a money Bill and while their Comittee was out on that affair the other Comittees appointed might be upon their several affairs.

Adjourned till 10 o'clock to morrow.

Tuesday Feby the 5th 1745 — Met according to adjournment.

[P. 296.] Present [as before.]

Messrs. Stevens, Thompson, Frost & Lock bro't up from the House a vote for Emitting the sum of Ten thousand pounds Proclamation money.

Coll. Gillman from the House to Desire the Councils objections if they had any to the s^{d} vote & Desired that the House might have them in writing.

The Sec^{y} waited upon the House with the Councils objections agreeable to the Houses desire by Coll. Gillman.

Messrs. Frost & Lock bro't up the Houses answer to the above objections sent down by the Sec^{y}.

[See said objections and answer in "Journal of the House," p. 278.— Ed.]

Mr. Wear from the House to desire his Excelency would Direct the Treasurer to Lay his Acc^{t} before the House.

Capt. Odiorne from the Council to acquaint the House that the Comittee of both Houses were Desired to meet at the Treasury to morrow morning & to acquaint the Comittee on the Part of the House thereof.

Mr. Wear from the House to Desire his Excelency would order the Treasurers acc^{t} to be Laid before the House before the Comittee Passed upon the same.

His Excelency sent a written message to the House relateing to the report of the Comittee upon the Expedition agst. Louisbourg, &c.

Adjourn'd till to morrow 10 clock, A. M.

[p. 297.] Wednesday Feby 6th 1744 — Met according to adjournment.

Present [as before.]

Messrs. Giddings & Lock bro't up the House's answer to his Excelencys message of yesterday relateing to the Expedition against Louisbourg.

The House's vote of yesterday for Emitting £10000 for carrying on Expedition agst Louisbourg &c. read & concurr'd with an amendment & sent down.

His Excelency sent another written Message to the House about Emitting money for the Expedition (1).

P. M. Messrs. Levet & Gillman bro't up from the House their vote for £10000 again which was read & Laid upon the table.

Adjourned till to morrow 10 o'clock A. M.

Thursday the 7th Feby 1744 — Met according to adjournment.

Present [as before.]

[p. 298.] The vote of the House for Emitting £10000 read again and inasmuch as the Periods for paying the same in again are at too great a distance —

Voted That it be sent down to the House with a message from the board Desireing they would reconsider the s^{d} vote in that part & to recomend that the Comencement of the Payment be in the year 1751 on which year we have no payments to make. Send down by Messrs. Atkinson & Wibird.

Mr. Sherburne & Frost to acquaint the Council that the House look upon the second article in the House's answer to the Councils objection to their vote for Emitting £10000 for the Expedition &c. is a full answer to the Councill's message by Messrs. Atkinson & Wibird and therefor the House unanimously adhered to their vote as sent up.

His Excelency adjourn'd the General Assembly to Monday the next at 10 o'clock A. M.

Monday Feby the 11th 1744 — Met according to adjournment.

Present [as before, except] Saml Smith, Esq.

The House sent up a written Mess^{a} by Messrs. Gillman & Lock relateing to the vote of the House for the £10000 as voted the 6th inst & non concurr'd by the Council.

The Council sends down (by Messrs. Downing & Solley) an answer in writing to the House's Mess^{a}.

A message from the House to Desire the above Vote in order to make the amendment Proposed by the Council.

(1) See page 279.— Ed.

[P. 299.] A mess^a to the House by Mr. Atkinson to acquaint the House the vote Desired was Entred upon the minits of Council they having acted upon it & thereupon it could not be withdrawn.

A memorial of sundry Inhabitants of this Province Praying that five hundred men from this Province may be Equipped & sent on the Intended Expedition ag^st Louisbourg which was read & recomended by the Council & sent down.

[See said Memorial in "Journal of the House," p. 286.—Ed.]

Adjourned till to morrow 10 o'clock A. M.

Tuesday Feby 12th 1744—Met according to adjournment.

Present [as before, also] Saml Smith Esq.

Mr. Sherburne from the House with a Mess^a to his Excelency to acquaint him that the House upon a Compl^t made by sundry Persons at Newington setting forth that George Walton Esq. who was return'd by the Kings Precept to represent the Town of Newington was not Duely Ellected & Pray'd that he might be dismissed. Accordingly the House on the first Inst. took the same under consideration & Dismissed the s'd Walton & granted a Precept for the choice of a Representative for the s^d Town & the Sherriff this day made return that the s^d Town had made choice of John Fabion, Esq. to represent the s^d Town who was now in waiting & the House desire his Excelency would give the Proper orders for Quallifying him accordingly.

[P. 300.] Messrs. Atkinson, Downing & Wibird ordred by his Excelency to goe to the House & administer the Proper Oaths to John Fabion Esq. the return'd member for Newington which was Done accordingly.

The memorial of Capt. William Vaughan of Damariscotta in the Mass^a Praying the consideration of the General Assembly in sending five hundred men on the Intended Expedition & making sundry offers to the Assembly read & recomended & sent down by Coll. Smith.

[See said Memorial in "Journal of the House," p. 286.—Ed.]

A vote of the House dated the 11th Inst. for Emitting the sum of £10000 for an Expedition to Louisbourg &c. bro't up by Mr. Stevens & Wallingford which was read at the board & concurr'd and a Comittee added.

Upon which his Excelency Directed the Secretary to read to the board his Maj^tys 19th Instruction to him as Govern^r of this Province & then Demanded the advice of the Council weither they would advise him to give his assent to the s^d vote for Emitting £10000 as above.

The Council after haveing Debated the Premises came unanimously to the following resolution viz. That inasmuch as the re-

ducing the Garrison of Louisbourg would be of the greatest Importance to his Maj^{ty} & be a means of Preventing the Intire Demolition of Great Parte of his Maj^{tys} Eastern Settlements, and there being no other method that this Province can Possibly take to furnish their Proportionable aid in this Laudable undertaking and inasmuch as our neighboring Governments have Emitted money for this Expedition — we humbly conceive that as the very being of the Province is at stake, your Excelency may give your assent to the s^{d} vote without incurring his Majestys Displeasure [P. 301.] and therefore the Council doth Humbly advise your Excelency to give your assent thereto.

His Excelency sent a message in writing to the House relateing to the s^{d} Bill by Messrs. Downing & Solley & is as follows — vide file.

[See said Message in "Journal of the House," p. 288.—Ed.]

Mr. Wear & Philbrook bro't up the House's Answer to the Governour's message of this day.

[See this Answer in "Journal of the House," p. 289.—Ed.]

His Excelency sent a mess^{a} to the House by Messrs. Wibird & Solley Desireing they would Let him know what men & money they Intended to raise more than mentioned in the message of this Day.

Mr. Sherburne & Gillman from the House bro't up the House's answer to his Excelencys Mess^{a} by Mr. Wibird & Solley to acquaint him that the House Proposed to raise between four & five hundred men in all & raise money for their subsistence Imediately after the Periods in the fomer votes mentioned.

Mr. Wear & Lock from the House to desire his Excelency to inform them weither he had given his assent to the vote for £10,000.

Adjourned till tomorrow 10 o'clock A. M.

Wednesday Feby 13th 1744 — Met according to adjournment.

Present [as before.]

[P. 302.] Messrs. Stevens & Gilman from the House bro't up the vote for raising one hundred men more then what is mentioned in the vote of the House of the 11th inst. and for raising the sum of three thousand pounds for paying & subsisting them &c. which vote was concurred at the Council & assented to by the Governour.

His Excelency gave his assent to the vote of the 11th Inst. for raising the sum of £10,000 for the Expedition &c.

A message from the Governour & Council to the House by Mr. Wibird to acquaint them that their votes for £10,000 & for £3000 were concurred by the Council and assented to by the Governour.

Mr. Sherburne from the House bro't up a vote for giving the same Encouragement to Centinels & Saylors as is given by the Mass^{a}, which vote was concurred by the Council & assented to by his Excelency.

Mr. Stevens from the House bro't up Two votes viz. One for a Comittee to get the £13000 for caring on the Expedition made

And the other for a Comittee to signe the same both which were concurr'd by the Council and assented to by the Governour.

Mr. Frost from the House bro't up a vote for Delivering the money Plates to the Comittee appointed to get the same Imprinted & for granting them fifty pounds out of the Treasury to begin the Imprinting the same — which was concurred at the board & assented to by the Govr & the Council Advised his Excelency to grant his Warr^t on the Treasury accordingly.

Adjourned till tomorrow 10 o'clock, A. M.

Thursday Feby 14th 1744— Met according to adjournment.

[P. 303.] Present [as before, except] Ellis Huske Esq.

His Excelency sent the Secretary to the House to acquaint them that he tho't advisable to grant the officers & soldiers the same allowance that the Mass^a did those that should be raised.

The Comittee to make a computation of what men & money may be necessary to Defend the Province ag^st his Maj^ty^s enemies this summer &c. made their report which was read by the board & sent down to the House by Coll Downing.

Messrs. Stevens & Frost bro't up a vote appointing a Comittee to Procure vessels Provisions &c. for the Expedition ag^st Louisbourg.

Mr. Fabion & March bro't up from the House an Act to Enable the Judg of Probate for the time being to finish the settlement of certain Estates therein mentioned as Pass'd in the House — read a first time.

Adjourned till tomorrow 10 o'clock A. M.

Fryday Feby 15, 1744 — Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey	Theod Atkinson	Esqs.
Jotham Odiorne	Saml Smith	
Henry Sherburne	Jno. Downing	

[P. 304.] Mr. Sherburne bro't up a vote for Borrowing Guns out of the Fort of his Excelency & for fitting a vessel proper for them to be a Guard to the Transports &c, which was concurred at the board & assented to by his Excelency.

Mr. Fabion & Levet from the House bro't up a vote for appointing Mr. Fabion on the Comittee for muster rolls in the room of Thos. Millet Esq. which was concurr'd at the board & assented to by the Governour.

Adjourned till 10 o'clock A. M.

Saturday Feby the 16th 1744 — Met according to adjournment.

Present his Excelency the Governour.

Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	John Downing Saml Solly	Esqs.

Mr. Giddings & Lock from the House bro't up a vote Desireing his Excelency to Inlist or Impress when the bill for Emitting £13,000 should Pass fifty Effective men — Ten of which to be at the Fort &c. which was concurr'd & assented to by the Governour.

Messrs. Sherburne Gillman & March bro't up from the House the Act for granting to his Majsty the sum of £13,000 for carrying on an Expedition agst Louisbourg &c. as Passed in the House which was read three times in the Council & passed to be Enacted and assented to by the Governour.

His Excelency sent the Secretary to the House to know if they had Passed upon the report of the Comittee appointed to consider & make a report what men & money would be necessary to Defend the Province the year Ensuing.

[p. 305.] Mr. Sherburne &c. bro't up the Houses' Answer to the Govr messn of this day, viz. That the bill that now Lays before the Govr & Council was exactly calculated according to the several votes of the Assembly & that the House pray'd the sd Bill might pass.

Adjourned by his Excelencys order Monday the 25th inst. at 10 o'clock A. M.

Monday Feby 25th 1744— Met according to adjournment.

Present.

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Saml Smith John Downing Saml Solly	Esqs.

Mr. Stevens from the House bro't up a vote for the choice of Mr. George Libbey as Comissary on the Expedition agst Louisbourg which was read at the board & concurred by the Council.

Alsoe one other vote of the House for appointing Doctor Millan & Doctor Sargent Chirurgeons to the regt in the sd Expedition which was alsoe read at the board & concurr'd by the Council.

Alsoe a vote Impowering the Comittee to Provide a suitable Chaplain for our forces on the sd Expedition which was read by the board & concurred by the Council.

Adjourned till Monday the 4th March, 10 o'clock A. M.

Monday, March the 4th 1744—Met according to adjournment. [P. 306.] Present [as before, except] Saml Smith, Esq.

Messrs. Gillman & Lock bro't up from the House a vote for granting to the Honble William Pepperel Esq. General of the forces in the Expedition ag^st Lonisbourg, &c. the sum of Thirty Pounds, the better to Enable him to Provide for his Table &c. which vote was read at the board & concurred & assented to by his Excelency the Governour.

Mr. Fabion from the House with a Mess^a to acquaint the board that the House had nothing lying before them.

Adjourned to Thursday the 7th inst at 10 o'clock A. M.

Thursday, March 7th 1744—Met and adjourned till tomorrow 10 o'clock.

Fryday March the 8th 1744. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Saml Smith	
Henry Sherburne		John Downing	
		Saml Solley	

[P. 307.] Major Stevens & Mr. Lock from the House bro't up the following Papers, viz.

A muster roll signed Peter Gillman am^o to	£60: 17: 5
A muster Roll signed by Lt. Henry Sherburne am^o to . .	23: 17: 6
One of do. am^o to	57: 5: 0
On Acct of s^d Sherburnes for sundry expences	3: 18: 9

All which were read at the board with the vote of the House on each of them & concurr'd and assented to by the Governour.

Mr. Wear bro't up a Muster roll of Jeremiah Clough am^o to £16: 12: 10.

And vote of the House thereon which was concurred at the board & assented to by the Governour.

Messrs. Gillman & Lock from the House bro't up the following Muster Rolls & vote of the House thereon, viz.

Muster roll of Capt. John Gage, am^o to	£15: 5: 0
Do. of Benj^a Matthews, am^o to	5: 9: 6
Do. of Do. am^o to	8: 2: 7

All which were concurr'd at the board & assented to by the Governour.

Adjourned till Wednesday next the 13th Inst. at 10 o'clock A. M.

Wednesday, March the 13th 1744 — Met according to adjournment.

Present [as before, except Geo. Jaffrey, Esq.]

Mr. Israel Gillman from the House bro't up a vote in favour of Saml Peasley for Paying a Bounty on killing a wolf which was read at the board & assented to by the Governour.

[p. 307 (1).] His Excelency sent the Secretary to the House to Enquire if they had any thing before them to forward the Expedition.

His Excelency Directed the Secy to Desire the House to appoint a Comittee to Purchase materials for Putting his Majtys Fort William & Mary into a Proper Posture of Defence agreeable to a schedule Laid before the House at the opening this sessions which was accordingly Delivered the House.

Mr. March from the House bro't up a vote Impowering the Comittee for managing the affairs of the Expedition to agree with a Comissary for the Expedition — and to acquaint the board the House had nothing farther before them relating the Expedition.

Mr. Sherburne & Gillman to Desire the Council would Pass upon the vote relating to the appointment of the Comissary.

A messa from the Governour & Council to the House to acquaint them that the appointment of all officers are by his Excelencys Comission Vested in him & that if the Comittee would agree with any Person to go as Comissary the Governour would give any Power to the sd officer so recomended that was necessary. The House Desired by a Messa that they might have the above messa in writeing which was sent down to them.

His Excelency adjourned the General Assembly to Tuesday the 2d of April 1745.

At a Council & General Assembly holden at Portsmo according to adjournment on Tuesday the 2d of April 1745

[p. 308.] Present his Excelency Governour Wentworth.

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Saml Smith	
Ellis Huske		John Downing	

His Excelency laid before the board a copy recd from Governour Shirley from Boston of his Majestys order in Council of the 6th of September 1744 ordring & Directing him to move the Assembly to support & maintain the Garrison called Fort Dumer — and alsoe a vote of the Massachusetts General Court thereon of the 9th Jany Last for supporting the sd Fort for three months.

[See the abovesaid documents in "Journal of the House," pp. 301, 304.— Ed.]

(1) Page 307, by mistake, is duplicate.— Ed.

And alsoe Governour Shirleys Letter to his Excelency Dated Feby 25th Last Incloseing the s^{d} copy of the s^{d} order & vote — all which were read at the board & sent down to the House by the President & Coll. Smith with the following Mess^{a} viz.

To acquaint the House that as the ships now in the Harbour would sail to morrow he would be glad the House would come to a speedy Determination that he might Transmit the same by these ships to his Maj^{ty}.

A mess^{a} by Messrs. Wear & March from ye House to Desire his Excelency to Direct that the Plan of the Divideing line as run by Mr. Hazzen & Mitchell be laid before the House.

And alsoe to Enquire weither the Council had acted upon the vote of the House for a recorder.

And alsoe the special act relateing to the Judge of Probate.

A mess^{a} from his Excelency to the House by the Secretary to Desire that they would Let him know their resolution about Fort [P. 309.] Dumer — he Imagining that the man of War would sail this night or early in the morn & he would gladly have their Determination before they sail'd.

And to acquaint them that the Plan of the Divideing Line they Desired should be laid before them.

P. M.

His Excelency sent the Sec^{y} with the Plan of the Divideing Line Desired by the House with Directions to Leave it with them.

Mr. Downing from the Council to Enquire if the House had any thing to send up this afternoon relateing to the Governours Mess^{a} about fort Dumer.

Adjourned till to morrow 10 o'clock, A. M.

Wednesday April 3^{d} 1745. Met according to adjournment.

Present [as before, also] Saml Solley Esq.

Messrs. Wear & Philbrook from the House to acquaint his Excelency that there was but bearly a Quorum of the House & that they Desired the consideration of the affair recomended yesterday by his Excelency about fort Dumer (it being of great consequence) might Lay for consideration a little while.

His Excelency sent the Sec^{y} to the House to acquaint them that he was apprehensive a Delay on the affair of fort Dumer as recomended yesterday might be of ill consequence Especially if the ships now in the Harbour should sail for England without his being able to acquaint his Maj^{ty} that he had received s^{d} fort.

His Excelency sent the Secretary to the House again to acquaint them that he kept the Court setting in hopes they would come to some resolution on the affair of fort Dumer & would be glad of their Determination before he adjourned.

[P. 310.] His Excelency sent the Secretary to the House to Enquire weither they had any thing to send up.

Messrs. Levet & Fabion from the House with a written message relateing to the affair recomended yesterday about fort Dumer.

Then his Excelency sent the Secretary to the House to acquaint them that he adjourn'd the Gen[l] Assembly till 5 o'clock.

Met again according to adjournment.

His Excelency sent a written Message to the House in answer to the House's Mess[a] in writing of this day.

[See the said Messages in "Journal of the House," p. 306.—Ed.]

His Excelency sent the Secretary to Enquire weither they had come to any resolve about the affairs of fort Dumer that he had recomended to them & if not to adjourn the Gen[l] Assembly to Monday next 11 o'clock A. M.

And the Speaker saying they had nothing the Gen[l] Assembly was accordingly adjourned.

Monday April 8th 1745. Met according to adjournment.

Nothing coming from the House — the Council adjourned till to morrow 10 o'clock, A. M.

Met accordingly & adjourned till tomorrow 10 o'clock. Present as yesterday.

[P. 311.] Wednesday April 10, 1745. Met and adjourned till 11 o'clock to morrow A. M.

Thursday April the 11th. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theodore Atkinson John Downing Sam[l] Solley	Esqs.

A vote of the House for ordring the Intrest of the £25000 appropriated by act for repairing fort Wm. & Mary into the hands of the Comittee appointed to see the s[d] work Don was read & concurr'd at the board and assented to by the Govern[r].

Mr. Solley from the Council carry'd the following Petitions, viz.

The Petition of Mrs. Ann Rindge Praying to be Enabled to

Dispose of certain Partes of her late Husbands Estate to & amongst the Heirs now of age &c.

The Petition of Sam[l] Bathrick a Prisoner in Goal for Debt Praying for releiff &c.

The Petition of Daniel Meader a Quaker appointed Constable for the Town of Durham Praying to be Exempted from collecting the ministers Salary in s[d] Town &c.

[p. 312.] The Petition of Maj[r] Stephen Greenlieff Praying for an allowance of sund[y] Expences in Entertainment at sund[y] Publick Days.

Adjourned till 4 o'clock.

Mr. Thompson & Lock bro't up the Houses mess[a] of this day relating to Fort Dumer.

[See said message in "Journal of the House," p. 312.— Ed.]

His Excelency sent the Secretary to the House to Enquire weither the House Expected any further Light from him relating to fort Dumer.

The Sec[y] return'd for answer to the above mess[a] that the Speaker told him that in his Excelency's mess[a] to the House ab[t] fort Dumer he mentioned that there would be danger of Looseing not only a fort but a District would be sot off which was one thing the House was at a loss about to know where & how much he apprehended that District might be and inasmuch as they had desired his Excelency would order the Secretary to Let them have a Sight of the copy of his Excelencys Comission they were in hopes when they saw that they should be better able to Pass upon the affair of fort Dumer.

To which his Excelency sent the following Mess[a] viz.

His Maj[tys] order in Council of the 6th of September, Gov[r] Shirleys Letter and the resolve of both Houses unanimously confirm me that the District that the Massachusetts will ask will be from the West Line to Contoocook which with the Lands between Connecticut River & Merrymack River will contain almost fifty mile square — this will in my opinion be the District the Massachusetts will aske & which will be granted by his Maj[ty] if New Hampshire refuses to garrison that fort.

[p. 313.] Capt Levet from the House bro't up a vote Desireing his Excelency would give orders for Inlisting or Impressing Sixty five men for the service of fort Wm & Mary & for guarding and scouting the frontiers.

Alsoe a vote for the Indian Christo being removed from Canterbury — which were concurred by the Council and assented to by the Governour.

Adjourned till tomorrow three of the clock p. m.

Fryday the 12th April, 1745. Met according to adjournment.

Present

George Jaffrey Jotham Odiorne Henry Sherburne	Esqs.	Ellis Huske Theodore Atkinson John Downing	Esqs.

The Council sent the Secretary to the House to Enquire if any thing would be sent up from thence this afternoon.

Messrs. Wear & Gillman from the House with a vote for an allowance to the members of Council and Assembly for their attendance in General Assembly.

Messrs Fabion & Lock from the House bro't up the following votes, viz.

Vote for allowing the Secretary's acct for Paper &c. amo to £4: 18 which was read & concurred & assented to by his Excellency the Governour.

[P. 314.] A vote for Paying Philip Connor for service in Expressing Proclamations to the several Towns about the Expedition to Louisbourg which was concurred by the council & assented to by the Governour.

Alsoe a vote for Paying to Saml Palmer the sum of 37: 6 for Powder supplyed a Scout Last Sumer by the Selectmen of Hampton — which was concurrd & assented to by the Governour.

Adjourned till to-morrow 10 o'clock A. M.

Saturday April 13, 1745. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theodore Atkinson John Downing Saml Solly	Esqs.

Messrs. Thompson & Gillman from the House bro't up the Petition of Mrs. Ann Rindge as Entered the 11th Inst. & vote of the House thereon for notifying the Heirs &c. which sd vote was read & concurred by the Council & assented to by his Excelency.

And alsoe the Petition of Saml Bathrick as Entred the 11th Inst & vote of the House thereon for making a Publick Act for Poor Prisoners in like circumstances read & concurred by the Council & assented to by the Governr.

Messrs. Fabion & Lock Bro't up from the House an allowance to Benja Pitman for sundry services as an Express.

And alsoe one other acct of sd Pittmans for services as above & votes of the House on each of them for an allowance.

And alsoe an acct of Saml Gerrish going Express & vote of the House thereon all which was concurred by the Council & assented by the Governour.

[P. 315.] Messrs. Lock & Philbrook bro't up a muster roll of Charles Hoit for services Don in mounting guns &c. & vote of the House thereon for an allowance which was concurred by the Council & assented to by the Governour.

The vote of the House of the 11th Inst. Desireing his Excelency would order the Inlisting or Impressing sixty-five men for the fort & frontiers which sd vote was this Day concurred by the Council and assented to by the Governr.

The vote of the House of this Day allowing a further sum to the officers & Leaders of scouts & that concurr'd by the Council and assented to by the Governr.

A messa from the Governour & Council to the House by Messrs. Downing & Solley to Enquire if they had any thing to send up Particularly relateing to fort Dumer.

Messrs. Fabion & Frost from the House bro't up a messa in writing to his Excelency.

Adjourned by his Excelencys order till Tuesday the 30th Inst in the forenoon at 10 o'clock.

Tuesday, April 30th 1745. Met according to adjournment.

Present

George Jaffrey	Esqs.	Ellis Huske	Esqs.
Jotham Odiorne		Theod. Atkinson	
Henry Sherburne		John Downing	

Mr. Wear & Philbrook from the House to Enquire if the Council had Passed upon the vote of the House relateing to a recorder & alsoe if the special Act Impowering the Judg of Probate to act in Particular case was Passed and alsoe if the vote for Establishing Councils & Assembly wages was Passed upon.

[P. 316.] His Excelency sent the Secretary to the House with a copy of his Comission with Directions to acquaint them that if they wanted to see any Particular Paragraph to read it to them — if not to leave it with them — which was Don & the Speaker for answer said that the House wanted an attested copy that they might upon any occasion have reference thereto & unless it was attested it would not answer their End — Accordingly the copy of sd Comission was attested & left with the House.

Adjourned till to-morrow 10 o'clock A. M.

Wednesday May the 1st 1745. Met according to adjournment.

[Councilors Present as before.]

Messrs. Levet & Lock bro't up from the House a vote for Impowering the Comittee for Louisbourg affairs to Provide one month's Provisions for the forces there more than formerly voted which vote was concurred at the board & assented to by the Governour.

Messrs. March & Thompson bro't up a vote of the House for paying 20s to each wife or representative of the voluntiers in the service at Louisbourg which vote was concurred by the Council and assented to by the Govern^r.

Adjourned.

[P. 317.] At a Council & General Assembly holden at Portsm^o according to adjournment on Thursday May 2^d 1745.

Present his Excelency Governour Wentworth.

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theodore Atkinson John Downing Saml Solley	Esqs.

The Petition of Benj^a Rolf of Pennycook Praying succors against the Enemy &c.

[See said Petition in "Journal of the House," p. 317.—Ed.]

Alsoe the Petition of Benj^a Holt of Suncook (1) In behalf of the Inhabitants of Suncook, on the same subject both read at the board & sent down to the House.

The Council took under Consideration the several votes &c. Enquired after by the House viz. a vote about the recorder, one other about the Councils & Assemblys allowance and the act about the Probate office.

The Two first viz. The vote about a recorder and the vote for Councils & Assemblys allowance read & nonconcurred & sent to the House with the Councils reasons for so doing by Messrs. Atkinson & Downing.

The Act for the Probate office alsoe send down at the same time for an amendment.

Adjourned till tomorrow 11 o'clock A. M.

Fryday May 3^d 1745.

Present [as before.]

[P. 318.] Mr. Thompson & Lock bro't up from the House an Act to Enable the Present Judge of Probate to finish the settlement of the Estate of Saml Penhallow & John Penhallow Left nnfinished by a former Judge — which was read three times at the board & Passed to be Enacted by the Council & assented to by the Governour.

(1) Pennycook and Suncook were adjacent settlements — the former is now Concord. The latter, Pembroke, near the mouth of the Suncook river, which rises in Gilmanton, passes through Barnstead, Pittsfield, Epsom and the southerly part of Pembroke, emptying into the Merrimack river,— is a flourishing manufacturing village. Suncook was granted originally under this name in May, 1727, by Massachusetts to the brave Captain John Lovewell and his faithful comrades, in consideration of their services against the Indians. The whole number of grantees was 60; 46 of whom accompanied Lovewell in his last march to Pequawkett, 1725. The remaining 13 were among the 62 who attended him in his first enterprises against the Indians.—Ed.

P. M.

His Excelency was pleased to Desolve the General Assembly & sent the Secretary to acquaint the House that it was Pleasure to Desolve the General Assembly which was accordingly Done.

Here Ends the Journal of the Second General Assembly called by his Excelency Governour Wentworth's Precept.

Province of New Hampshire.

At a Council & General Assembly Holden at Portsmouth on Wednesday June the 5th 1745.

Present His Excelency Benning Wentworth Esq. Govr.

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Richard Wibird Saml Smith John Downing Saml Solley	Esqs.

The High Sheriff of the Province made his returne upon the Kings Precept for calling a new Assembly & the names of the Persons so return'd are as follows viz.

[P. 319.]	Nathaniel Rogers Esq. Eliezer Russell, Esq. Mr. Henry Sherburne Jun.	for Portsmouth.
	Major Thomas Davis John Gage Esq. Thomas Wallingford	Dover.
	Mr. John Sanburne Sam^d Palmer, Esq.	Hampton.
	Peter Gillman Esq. Mr. Zebulon Giddings	Exeter.
	Capt. Thomas Bell Richd Jennes Esq.	New Castle & Rye
	Ebenezer Stevens Esq	Kingston.
	Mr. Meshech Wear	Hampton Falls
	Capt. John Nutter	Newington
	Moses Levet, Esq.	Stratham
	John McMurphy Esq	Londonderry
	Capt. Jon^a Chesley	Durham
	Clem^t March Esq.	Greenland
	Mr. Thomas Young	Newmarket.

His Excelency sent Messrs. Atkinson, Wibird & Smith of the Council to the House to adminster the oath appointed instead of

the oaths of Allegiance & Supremacy to the several Persons return'd & to cause y^m to subscribe the Declaration &c. which was accordingly Don & a return thereof made.

His Excellency sent a mess^a to the House by Messrs. Odiorne, Atkinson & Solley to Direct the members that were Quallifyed to Proceed to the choice of a Speaker & Present him for acceptance — who returned that they had Don the message.

[P. 320.] Messrs. Wear, Giddings, Chesley & Bell from the House to acquaint his Excellency that they had in Pursuance of the Mess^a of this Day by Messrs. Odiorne, Atkinson & Solley Proceeded to the choice of a Speaker & accordingly had made choice of Ebenezer Stevens Esq. for their Speaker.

His Excelency sent a mess^a to the House by four members of Council to acquaint them that he approved of their choice of a Speaker.

Adjourned till to morrow 10 o'clock A. M.

Thursday June 6th 1745. Met according to adjournment.

Present [as before.]

Adjourned till 11 o'clock tomorrow.

Fryday June 7th 1745. Met according to adjournment.

Present [as before.]

His Excelency sent the Secretary to the House to Desire the [P. 321.] House would returne to him his Maj^tys order in Council relateing to fort Dumer & all the other Papers sent by him to the Late Assembly relateing to the s^d fort.

Messrs. Young & McMurphy from the House bro't up from the House the above s^d Papers.

His Excelency sent the Secretary to acquaint the Speaker & the House that he required their attendance in the Council Chamber.

Accordingly the Speaker & House came up & were admitted. His Excelency made a speech to both Houses.

Mr. Speaker pray'd a copy thereof & then withdrew.

His Excelency ord^d the Secretary to give the Speaker & the House a Copy of his Speech — which was done.

The Speech is as follows — viz.

Gentlemen of the Council & Assembly,

The Delay of my royal Masters Comands met with in the Late Assembly respecting Garrisoning of Fort Dumer made it necessary for me to Desolve the last Assembly hopeing thereby I might be more fully apprized of the sentiments of his Maj^tys good subjects on that Point. That the receiving this Fortification is of the last consequence to the Present & future Prosperity of

the Government That the refusall of it will Tend to lessen us in the Esteem of his Maj^ty & his ministers, strip the children yet unborn of their natural right & deprive our friends & neighbours now hazzarding their lives & Exposeing their bodys to hardships unheard of before Louisbourg in the cause of their King & in Defence of their Country, in full Expectation of setling [P. 322.] down on their returne in the quiet possession of that valuable Parte of this Province which I hope you will assist me to rescue for them from the Enemy who are waiting to build upon our ruin is beyond all Dispute.

Gentlemen of the Assembly

The accounts I have from General Pepperell & Coll. Moore of the State & Successs of his Maj^tys fleet & armies before Louisbourg shall be laid before you alsoe his Excelency Governour Shirleys Letter to me relating a further reinforcement of men which I hope you will Provide for according to the circumstance & ability of the Province.

I recomend to you the Discharging the muster rolls for services allready Don, for want of which I have not been able to Inlist the men Granted by the late Assembly for the Defence of the frontiers.

I alsoe recomend that a further Grant of men be made to be Imployed if necessary on the frontiers and at his Maj^tys Fort William & Mary, That the Treasurers acc^t be Prepared to be Transmitted to his Majesty and that every one in his respective Station may make the Peace good order & Prosperity of the Government his main aim.

At Present our Circumstances excell our neighbours & our Taxes less burdensome & by his Majesties gracious indulgence to us since my accession to the Government our fortifications & Publick buildings with warlike stores of all kinds will be Provided for without any Tax on the People — these are Instances of the royall favour not to be Equall'd in any of his Plantations.

[P. 323.] Since we are thus highly favoured Let us guard against unhappy Divisions which will be Destructive of our Peace & happiness & Lesson us in the Esteem of his Majesty & his ministers.

Gentlemen of the Council & Assembly

My firm attachment to his Maj^tys Person family & Government challenges my first attention — my next Pursuit shall be the Peace & Prosperity of his Maj^tys good subjects of this Province in which I shall hope for your chearfull & ready assistance & when a happy union subsists in the Legislative Power every Designe formed against her Quiet will come to an End. Let it therefore be your Endeavor to Promote this happy Union & it shall be my care to Preserve & Increase it.

B. Wentworth.

Council Chamber in Portsm^o
June the 7th 1745.

His Excelency sent the Secretary to the House with the several Papers (1) relateing to fort Dumer & alsoe those refer'd to in his Excelencys Speech from Genl Pepperell & Coll. Moore from Louisbourg.

Messrs. Jennes & Levit from the House bro't up the vote for an allowance to the members of Council & Assembly the Secretary & Clerk of Assembly which was read.

Messrs. Sanburn & March from the House bro't up a vote appointing a Comittee to Draw an act for the choice of a recorder.

Adjourned till to morrow 10 o'clock, A. M.

(1) See these papers in "Journal of the House," p. 327.— Ed.

Saturday June 8th 1745. Met according to adjournment.

Present

[P. 324.] [The Councilors as before.]

Capt. Bell bro't up the Muster Roll & acct of Coll. Benja Rolf for scouting about Pennacook on Merrimack river &c. amount to £79: 12 & vote of allowance thereon which was read at the board & concurr'd(1).

The Council took under consideration the vote of Assembly of yesterday relateing to the recorder & non-concurred the same.

Alsoe the vote for Council & Assemblys allowance &c. bro't up yesterday & concurred the same.

Messrs. Levit & Jennes from the House bro't up a vote Impowering the Comittee of War to Procure & send to the forces at Louisbourg one months Provision & some clothing &c. which was read & concurr'd.

(1) *Muster Roll of a Scout at Pennacook and vicinity, under Capt. John Chandler, in the Winter of* 1745.

	Time of Entering.	Time of Dismissing.	Time of Service.	Wages.
John Chandler, Captain	Jan. 21.	Mar. 18.	2 mos.	£3: 10: 0
Jeremiah Shattuck	"	"	"	2: 10: 0
Joseph Eastman	"	"	"	2: 10: 0
Nathaniel Rix	"	"	"	2: 10: 0
Joseph Ordway	"	"	"	2: 10: 0
Stephen Hoyt	"	"	"	2: 10: 0
Timothy Clements	"	"	"	2: 10: 0
Jeremiah Stickney	"	"	"	2: 10: 0
John Webster	"	Feb. 16.	26 days.	1: 3: 2 1-2
Christo, the Indian	"	Mar. 18.	2 mos.	2: 10: 0
Jeremiah Stickney	Feb. 16.	"	30 days.	1: 6: 9 1-2
				£26: 00: 0

Muster Roll of a Scout at Canterbury and vicinity, under Capt. Jeremiah Clough, in the Winter of 1745.

	Time of Entering.	Time of Dismissing.	Time of Service.	Wages.
Jeremiah Clough, Captain	Jan. 21.	Mar. 18.	2 mos.	£3: 10: 0
Josiah Miles	"	"	"	2: 10: 0
John Gibson	"	"	"	2: 10: 0
Philip Call	"	"	"	2: 10: 0
Thomas Danforth	"	"	"	2: 10: 0
Jonathan Guile	"	"	"	2: 10: 0
				£16: 0: 0
For subsisting the soldiers at 5s 4 3-4 per week				33: 12: 0
				49: 12: 0
For 169 lbs. Powder, 32 lbs. Bullets				4: 0: 0
Total (both)				79: 12: 0

For allowance for my time, trouble and expense for enlisting said soldiers and journey to Portsmouth to make up this muster-roll, and having the care of the Scout, giving orders &c. as the Honorable Court thinks fit.

The foregoing is a muster-roll of two scouts of soldiers employed in his Majestys service in scouting on the frontiers, agreeable to Governor Wentworth's order of the 20th Dec. last.

Benjamin Rolfe.

Portsmouth, April the 30th, 1745.

Mr. McMurphy bro't up an acc^{t} of Col. Rolf for service Don and vote of the House thereon allowing £3 in full of s^{d} acc^{t} which was read at the board & concurr'd.

Mr. Wear from the House bro't up a vote appointing a Comittee on the Part of the House to joyne with a Comittee of Council to consider of the subject matter of Governour Shirleys & General Pepperells Letters relateing to a Reinforcement of the Army at Louisbourg & to report thereon as soon as may be which was read & concurred & a Comittee on the Part of the Council added.

His Excelency adjourned the Genl Assembly to Monday next at 3 o'clock P. M.

[P. 325.] At a Council & General Assembly holden at Portsmouth according to adjournment on Monday June 10, 1745.

Present his Excelency the Governour.

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Odiorne		Saml Smith	
Henry Sherburne		John Downing	
Theo^{d} Atkinson		Saml Solley	

His Excelency was pleased to assent to the vote of the 8th Inst. appointing a Comittee to take under consideration the affair of a reinforcement to the army at Louisbourg.

The Petition of Mary Martin & sundry other women whose husbands were in the Expedition agst Louisbourg Praying that they may be allowed to receive parte of their Husbands waiges &c. read & sent down to the House.

The Comittee appointed on the 8th Inst. for takeing under consideration the affair of a reinforcement to the army before Louisbourg &c. made their Report, viz.

That they tho't it Proper to advise his Excelency to raise one hundred men if proper methods could be concerted for Paying them &c. which was read at the board & sent Down to the House

Mr. Sandburne bro't up from the House the muster roll of Capt. Jon^{a} Chesley for scouting the frontiers about Merrimack & vote of the House for allowing & Paying the same which was read & concurred by the Council.

Alsoe three several acc^{ts} of Joseph Moulton for going Express with a vote of the House thereon for allowing & Paying the same which was concurr'd by the Council.

Adjourn'd till 10 o'clock to morrow, A. M.

Tuesday June 11th 1745. Met according to adjournment.

[P. 326.] Present [as before.]

Mr. Memurphy from the House bro't up the report of a Comittee appointed the 8th inst relateing to a reinforcement to the army

at Louisbourg with a vote of the House for accepting the same which was read at the board & concurr'd.

His Excelency gave his assent to the following votes of Assembly, viz.

To the votes on three acc^ts of Joseph Moultons as Passed yesterday.

To the votes on Col. Rolf's muster roll & his acc^ts of Expresses &c.

To the votes on Capt. Chesleys muster roll.

To the vote for subsistance of the forces at Louisbourg one month & for Sloops, &c.

To the vote on the report of the Comittee for a reinforcement to the s^d forces.

Adjourn'd till 11 o'clock to mor^w A. M.

Wednesday June 12th 1745. Met according to adjournment.

Present

[The Councilors as before.]

Nothing coming from the House the Council adjourn'd till 4 o'clock P. M.

[P. 327.] Met again according to adjournment.

Present his Excelency the Governour.

[The Council as in the forenoon.]

Mr. Jennes from the House to Enquire weither the board had passed upon the vote for raising one hundred voluntiers &c.

A message from the board to the House to acquaint them that the vote Inquired after by the House was concurr'd & all the other votes Passed this sessions that Lay before the Council was alsoe concurr'd by the Council & assented to by the Governour.

Adjourned till 10 o'clock to morrow A. M.

Thursday June 13th 1745. Met according to adjournment.

Present [as before.]

Mr. Giddings from the House bro't up the following votes, viz.

A vote for the appointing a Comittee to audit accounts.

A vote Desireing his Excelency to Direct the Treasury to Lay all the Publick accounts before the House.

Messrs. Bell & March from the House bro't up a vote for Emitting £6000 for Defraying the charge of the more Effectually carrying on the Expedition ag^st Louisbourg. A message from the board by Messrs. Atkinson & Smith with the vote of the House of *this* yesterday sent up this Day appointing a Comittee of audit

[P. 328.] &c. to acquaint the House that the board cannot concurr with the same for that by the vote as it now stands the s^d Comittee is to audit no acc^ts but what the House may lay before them — which the board apprehends is taking a Prerogative from them of laying any acc^ts before the s^d Comittee, & 2^d because the Comittee appointed by the House are two of them on a Comittee of War who have acc^ts to settle with the Province for Large sums of money put into their hands for that End for which reasons the board could not at Present see their way clear to act upon s^d vote — who return'd they had done the message & left the vote.

His Excelency sent a message to the House by Mr. Wibird to acquaint them that he could not Inlist men for the frontiers by reason those Imployed the last year were not paid off so that he had Imploy'd but about six men at Canterbury Exclusive of those at fort Wm. & Mary.

Adjourn'd till to — 10 o'clock A. M.

Fryday June 14th 1745. Met according to adjournment.

Present [as before.]

Messrs. Downing & Atkinson with a mess^a to the House on the House's vote for Emitting six thousand pound for carrying on the [P. 329.] Expedition against Louisbourg Desireing the following amendment, That instead of six thousand pound it should be £10000 — six thousand pound being we imagine insuflicient to answer the Intended Designe. 2^d That it should be paid in five successive years instead of six.

Messrs. Jennes & Memurphy from the House bro't up a vote for the choice of Mr. Daniel Peirce to be recorder which was concurr'd by the Council & assented to by the Governour.

Messrs. Wear & Sandburne from the House with the vote for Emitting £6000 (recomended by the Council to the House for amendment) with a mess^a to the Council that the House adhier to their former vote without any alteration.

Messrs. Jennes & Giddings from the House with a mess^a to his Excelency Desireing his Instruction Prohibiting the Emitting Paper money might be laid before the House.

Adjourned till tomorrow 10 o'clock A. M.

Saturday June 15th 1745. Met according to adjournment.

Present [as before.]

Messrs. Chesley, Gage & McMurphy from the House Bro't up the following vote viz.

A vote for making Provision for fort Dummer &c.

[P. 330.] And alsoe a vote for Establishing the subsistance both of wages & Provisions.

Both which votes were concurr'd by the Council & assented to by the Governour.

As was alsoe the vote for Emitting £6000 & a mess^a sent to the House to acquaint them thereof, & that the last, namely the vote for Emitting £6000 was assented to in confidence that the House would Joyne with the Council in writing such a Letter as his Excelency Proposed to the House yesterday.

[See "Journal of the House," p. 338.—Ed.]

Adjourned till Tuesday next 10 o'clock A. M.

Tuesday June 18th 1745. Met according to adjournment.

There not being a Quorum of the House Nor the Speaker not coming to town the House is adjourned by his Excelency till tomorrow 10 o'clock A. M.

Wednesday June 19th 1745. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Odiorne		Saml Smith	
Henry Sherburne		John Downing	
Theod. Atkinson		Saml Solley	

[P. 331.] His Excelency sent Mr. Solley to the House with the original order from his Maj^sty in Council of the 6th September 1744 relating to Fort Dummer which he had rec^d from England by a ship lately arrived.

[See said order in "Journal of the House," p. 301.—Ed.]

Adjourned till tomorrow 10 o'clock A. M.

Thursday, June 20th 1745. Met according to adjournment.

Present [as before.]

Mr. Levet from the House bro't up a vote for Paying wages to Robert Miller a soldier in the service under Capt. Clough & was omitted in s^d Clough's muster roll.

And alsoe one other vote for the Payment of Christo an Indian for his service in s^d Scout under the s^d Clough — which s^d votes were concurred by the Council and assented to by the Governour.

Mr. Wear from the House bro't up a muster roll of Capt. Jeremiah Clough for service don in Scouting the frontiers & vote of the House thereon allowing the same which was read at the board & concurr'd and assented to by his Excelency.

Capt. Bell from the House bro't up a vote for reviveing the Excise Act for five years which was read at the board & concurr'd & assented to by the Governour.

And alsoe a vote for paying the charge of Landing the Kings bounty of ordnance stores which was read at the board & concurr'd and assented to by the Governour.

His Excelency ordered Messrs Atkinson & Wibird to goe to [P. 332.] the House and administer the proper oaths to Capt. Israel Gillman who was returned to serve in Genl Assembly in the room of Mr. Thomas Young the returned member for Newmarket who was Dismist the House for an undue Ellection — which was Done & Returne thereof made.

His Excelency asked the advice of Council weither he should grant his Warr^t on the Treasury for such allowances as had been made by the General Assembly since the last advice given — to which they did advise & consent.

Capt. Bell bro't up a vote for an allowance to such Captains that should Enlist a Company of Voluntiers for a reinforcement of the forces before Cape Britton of three shillings & nine pence pr man which vote was concurr'd by the Council And assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

Fryday June 21 1745. Met according to adjournment.

Present [as before.]

Messrs Davis & Giddings from the House bro't up the following votes viz.

A vote directing the Comittee Imployed in & about the £25000 Loan, and alsoe

[P. 333.] A vote Directing the Comittee for managing the repairs of fort William & Mary to Lay their respective acco^ts before the General Assembly as soon as may be for allowance — which votes were concurred by the Council.

And alsoe a vote for an allowance to Each man in the service for guarding the frontiers one shilling & six pence pr month over & above their wages, to finde them with Powder, which vote was concurred by the Council and assented to by his Excelency.

The Petition of Joseph Ladd Praying Liberty to revive a Lawsuit with the Town of Epsom read & send Down to the House.

Messrs. Gage & Levit from the House bro't up three votes for choice of three Comittees, viz. one for Providing vessels Provisions &c. for the reinforcement at Louisbourg, one other Comittee for signing the £6000 to be Emitted for that purpose & one for getting the £6000 Impressed.

Adjourned till tomorrow 10 o'clock A. M.

Saturday June 22d 1745. Met according to adjournment.

Present [as before.]

Mr. Giddings from the House bro't up Two votes one for Paying the officers in the Expedition agst Louisbourg Two months wages.

The other for paying Twenty shillings to Each Centinel or their representatives.

The Petition of Daniel Meader a constable of Durham Praying to be exempted from geathering the ministers Sallary read & sent down to the House.

[P. 334.] And alsoe the Memorial of Benja Thomas a soldier wounded at St. Peters in the service on the Expedition agst Louisbourg read & send down by Messrs Atkinson & Solley who was alsoe Directed to acquaint the House with the reason their votes for choice of several Comittees relateing to the $6000 for carrying on the Expedition agst Louisbourg was not concurred.

Capt. Bell & Mr. McMurphy bro't up a vote Desireing the Captain General to Inlist or Impress Twenty men for fort William & Mary for four months & if not to be Enlisted to Impress them to serve two months only.

Mr. Gage from the House bro't up the Petition of Joseph Lock as Entered yesterday & vote of the House thereon for notifying the Proprietors of the Town of Epsom to appear the 2d Day of the setting of the General Assembly after August next.

Coll. Wallingford from the House bro't up a vote for an allowance of 1 : 6 pr Day to Benja Thomas a voluntier on the Expedition agst Louisbourg & wounded by the Enemy at the attack of St. Peters which vote was concurred at the board & assented to by the Governr.

Adjourned till Monday next at 4 o'clock P. M.

Monday June 24th 1745. Met & adjourned till to morrow 10 o'clock A. M.

[P. 335.] Tuesday June the 25th 1745. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey,	Esqs.	Richd Wibird	Esqs.
Jotham Odiorne		John Downing	
Henry Sherburne		Saml Solley	
Theodore Atkinson			

Messrs Bell & Chesley bro't up the muster roll of Capt. Ichabod Tibits jun. for service done in guarding his Majtys contractors in Hewing masts & vote thereon allowing the same (1).

(1) See Military Hist. in Adj. Gen. Report 1866, vol. 2, p. 54.—Ed.

And alsoe a vote of the House for an allowance to Benj^a Akerman jun. of 35*s* as an Express carrying Proclamations thro' the Province which were read at the board & concurred & assented to by the Governour.

Mr. Levet from the House bro't up sundry Petitions that were Prefered to the General Assembly before the Disolution of the Late Asembly & had not been Acted upon.

Mr. McMurphy bro't up a vote appointing a Comittee to take the money Plates from the Comittee that had the care of making the £13000 formerly made & securing them in the Treasury — which vote was concurred by the Council and a Comittee added & assented to by the Governour.

Mr. Wibird the chairman of the Comittee for Impressing the £13000 for carrying on the Expedition ag^st Louisbourg Produced a rec^t from the Comittee appointed in the Act for signing the same for £11000 off the great Plate & £2000 off the smal Plate & Desired the same might be Entred in the minit book which was accordingly ordred.

Adjourned till 10 o'clock A. M.

Wednesday June 26, 1745. Met according to adjournment.

Present [as before, except the Governor.]

[P. 336.] Messrs. Wallingford & Sanburne from the House to Enquire weither the vote for choice of a Comittee for carrying on the affairs of the Expedition against Louisbourg &c. was acted upon in Council.

Upon which the Council took the s^d Vote again into consideration & nonconcurred it unanimously & sent the Secretary to the House to acquaint them thereof.

Mr. Wallingford from the House bro't up a vote for allowing the officers & soldiers Imployed in guarding & scouting the frontiers nine pence per day in lieu of their Provisions, &c.

Mr. Wear & Giddings from the House bro't up the muster-roll of Capt. Tibbets jun. & vote of the House thereon — send down for an amendment & returned that the House adheir to their former vote.

Alsoe to acquaint the Council that the House adheir to the vote for Emitting £6000 for the Expedition ag^st Louisbourg as sent up.

Also to Enquire weither the Council had acted upon the votes for choice of a Comittee to sign the s^d money & to get it Impressed.

Adjourned till to-morrow 10 o'clock A. M.

Present his Excellency the Governour.

[Councilors as before.]

Mr. McMurphy from the House bro't up a vote for choice of a Comittee for Purchasing Provision & managing the affair relating to the reinforcement of the forces at Louisbourg—which was concurred by the Council & assented to by the Governour.

[P. 337.] Capt. Chesley from the House bro't up the Petition of Daniel Meader the Quaker as constable relating to his collecting the ministers rates, and vote of the House thereon ordring the adverse Party to be notifyed & appointing a day for hearing the same which was read at the board & concurred by the council & assented to by the Governour.

Theodore Atkinson, Esq. chairman of the Comittee for letting out the £25000 Loan bro't into the General Assembly a list of the several Persons that Borrowed the same & the several sums Borrowed togeather with an acc^{t} of the Intrest rec^{d} & what was then outstanding.

The Petition of Francis Tucker Prison keeper Praying the consideration of the General Assembly with regard to sundry French Prisoners lately sent from Louisbourg & Put into his custody which was read & sent down to the House.

The memorial of Major Davis Praying an allowance for a gun shot wound rec^{d} in the service &c. read & sent down to the House by the Secretary.

Mr. Gage from the House bro't up the Portlage Bill of Sloop Endeavour, John Wise, master, & vote of the House thereon allowing the same which was read at the board & concurred & assented to by the Governour.

Mr. McMurphy from the House bro't up a vote for the choice of a Comittee to Draft an address of thanks to his Majesty for his Bounty of ordnance stores rec^{d} by Capt. Hamond which was read at the board & concurred & a Comittee added and assented to by the Governour.

Adjourned till to-morrow 10 o'clock A. M.

Fryday, June the 28th 1745. Met according to adjournment.

Present [as before, except Samuel Solly, Esq.]

[P. 338.] Mr. McMurphy from the House bro't up the muster-rolls of Coll. Joseph Blanchard & the muster roll of Coll. Josiah Willard for services don in guarding & scouting the frontiers near the rivers Merrimack & Connecticut & vote of the House thereon allowing the same—which was concurred by the Council and assented to by the Governour.

Mr. Wear from the House bro't up the muster-roll of Capt. Ichabod Tibbets & vote of the House thereon allowing the same it being for scouting & guarding the frontiers near to & about

the Great Pond Winipiseocee which vote was concurred by the Council & assented to by the Governour.

Adjourned till 10 o'clock A. M.

Saturday June 29th 1745. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Richd Wibird Saml Smith John Downing Saml Solly	Esqs.

Mr. Wear from the House bro't up the muster-roll of Capt. Thomas Bell (1) of the soldiers at his Majestys fort William & Mary & vote of the House thereon for allowing the same which was read at the board & concurred & assented to by the Governour.

[P. 339.] Alsoe a Portlage Bill of Schooner Elizabeth William Branscom master a Transport in the Louisburg Expedition and vote of the House thereon allowing the same—which vote was concurred by the Council and assented to by the Governour.

Mr. Sandburne & 2 other members from the House bro't up a Bill for the Emitting the sum of six thousand pound for the further carrying on the Expedition agst Louisbourg which was Passed in the House & read the first time at the Council board.

Mr. Levet & Two other members from the House brot up ye answer to his Excelencys speech which was made at the opening this Sessions—which was read at the board—and is as follows, viz.

Prov. of New Hampr.

In the House of Representatives June 29th 1745.

Voted, That the following be sent up to his Excelency in answer to his Excelency's Speech of the 7th currt.

May it please your Excelency

In as much as we have been Imployed in considering of & Effecting the several things Proposed to us in your Excelencys Speech of the 7th currt we Trust your Excelency will Excuse our not answering it till now.

And as the votes of this House relateing to the Garrissoning fort Dummer are concurred with by the Honble Council & consented to by your Excelency We hope that we shall Preserve the Esteem of his most gracious Majesty & his ministers & the native rights of this People & their children & that his Majtys Loyal subjects of this Province whose ancestors many of them spent their Lives & fortunes in the Defence of their Country in Past warrs with our friends & neighbours now on the Expedition agst Louisbourg & going & those who must in future years be burtherned with the Heavy Expence of [P. 340.] Defending the frontiers may set down in the Quiet Possession of their valuable rights notwithstanding any attempts to the contrary.

(1) Capt. THOMAS BELL was of New Castle. His descendants are numerous in the south-eastern section of the state—among them Thomas Bell Lalghton, formerly of Portsmouth—for many years proprietor & landlord of the Appledore House, upon Hog Island—one of the Isles of Shoals—where he resided until his death, without once visiting the main land.—*Hon. C. E. Potter.*

We assure your Excelency that we have the success of the Expedition against Louisbourg much at heart and are willing & resolved to do all in our Power to promote & forward it & reather exceed our ability then otherwise, of which we believe our vote for a reinforcement of the 13th currt is a convincing Evidence.

All the muster-rolls before this House are Past (1) we have made a further grant of men for his Majtys fort Wm & Mary & when the Treasurers accts are laid before this House we shall Proceed to do what is incumbent on us with all convenient Dispatch.

We thank your Excelency for your seasonable cautions agst unhappy Divisions so destructive to the Peace & Tranquility of the People, and are resolved to do all in our Power (consistent with the best Interest of the People we represent) to maintain a happy union between the branches, and your Excelency may Depend on our chearful & ready assistance in every thing that may tend to advance the Honr of his Majesty our most Gracious sovereigne, make your Excelencys administration Pleasant & Easey and Promote the Peace & Prosperity of his Majtys good subjects of this Province.

His Majtys royal favour in every Instance more especially in that of his Late most Princely Bounty of ordnance Stores we most thankfully acknowledge & heartyly Joyn in our sincere Desires for a blessing on his Majestys Person, Family & Government, upon which next under God the Happyness of his good subjects of this Province Depend.

Ebenr Stevens, Speaker.

[p. 341.] The acct of Capt. Bell for sundrs supplyed fort Wm. & Mary & vote of the House thereon for allowing the same sent up by Capt. Chesley which was read at the board & concurr'd & assented to by the Governour.

Messrs Atkinson, Wibird & Smith with a Messa from the Council to the House, viz. That the Council tho't it highly necessary to have a Comittee of both Houses to goe to that Parte of the Province scituate upon Connecticut river about fort Dummer &c. & to make a report to the General Assembly as soon as may be.

His Excelency adjourned the General Assembly till Monday at 11 o'clock.

Monday July 1st 1745. Met according to adjournment.

Present his Excelency the Governour

Jotham Odiorne	Esqs.	Richd Wibird	Esqs.
Henry Sherburne		Saml Smith	
Theod. Atkinson		John Downing	

Majr Davis from the House bro't up a vote for Delivering the large Plate to the Committee Impowered to get the £6000 stamped & for furnishing the sd Committee with the sum of fifty pounds for carrying on the sd work.

Mr. Sandburne from the House bro't up the Petition of Francis Tucker goal keeper relateing the French prisoners & vote of the House thereon for allowing the Prisoners the sum of 5*s* pr week

(1) For many of the muster-rolls of men employed in the service during the Indian & French wars, including the Expedition against Louisbourg, reference may be had to "Potter's Mil. Hist." contained in Adj. Gen. Report, 1866, vol. II, pp. 54-258; see also N. E. Hist. and Gen. Reg., July, 1871, pp. 267-269.—Ed.

for subsistance &c. which was concurr'd by the Council & assented to by the Governour.

Mr. Giddings from the House bro't up a vote for Explaining [P. 342.] the Premium on killing wolves, viz. that they come within the resolve of the General Court of Jany 1744, wherein 6*d* of the present currency should Pass for one shilling &c. which was read & concurr'd and assented to by the Governour.

Adjourned till 10 o'clock tomorrow.

Tuesday July 2^d 1745. Met according to adjournment.

Present [as before, also]

Saml Solly, Esq.

Messrs Jennes & Sandburne bro't up an additional act to the act for Emitting the £25000 Loan Enabling one of the s^d Comittee to make Distress &c.

And alsoe an act to revive the Excise Act now near Expireing, both of which was read at the board a first time.

Messrs Coll. Gillman & Capt. Gillman from the House bro't up the House's answer to his Excelencys mess^a about the reinforcement of the forces at Louisbourg.

(Adjourned.)

Wednesday July 3^d 1745. Met according to adjournment.

Present [as before.]

[P. 343.] Maj. Davis & Mr. Jennes from the House bro't up the Comittees acc^t for making the £13000 and vote of the House thereon read & concurr'd & assented by ye Govern^r.

Alsoe an acc^t of the Clerk of the Superiour Court for a Book to Enter his records upon & vote of the House for allowing the same read & concurr'd & assented to by the Governour.

Alsoe the Comittee for viewing Fort Wm. & Mary their acc^t of Expence in that affair & vote of the House thereon allowing the same, read & concurred & assented to by the Governour.

Mr. Chesley from the House bro't up an act in adition to an Act Intituled an Act for the settlement of Intestate & Insolvent Estates as past in the House which was read a first time.

Adjourned till tomorrow 10 o'clock A. M.

Thursday July 4th 1745. Met according to adjournment.

Present [as before.]

Mr. Jennes from the House bro't up the several acc^ts & votes of the House thereon, viz.

An acc^t of George Veasey for horse hire Transporting Provi-

sion to Epsom for soldiers there & vote of the House thereon for an allowance which was concurred at the board & assented to by the Governour.

An acc^t of Matthew Livermore for services in Drafting sund^ry acts &c. & vote thereon read & concurred by the Council & assented to by the Governour.

[P. 344.] An acc^t of William Parker Esq. (1) for Drafting acts &c. & vote of the House for an allowance thereon read at the board & concurred & assented to by the Governour.

Major Davis from the House bro't up a vote for Paying the officers & soldiers at fort Wm & Mary (according to a former Establishment) to the 25th of March which was read at the board & concurred & assented to by the Governour.

Mr. Sandburne from the House bro't up the acc^t of John Gage Esq. for service done as Comissary & Clerk &c. & a vote of the House thereon for an allowance, which was read at the board & concurred & assented to by the Governour.

Capt. Chesley from the House bro't up a vote of allowance to Benj^a Acreman Door keeper which was read at the board & concurred & assented to by the Governour.

Mr. Jennes from the House bro't up a vote for an allowance to Mrs. Sarah Priest for hire of a room for the Council, which was read at the board & concurred & assented to by the Governour.

Adjourned till tomorrow 10 o'clock, A. M.

Fryday July the 5th 1745. Met according to adjournment.

Present [as before.]

[P. 345.] A vote of the House for the Governours taking Twenty five Pounds for an Entertainment at Portsmouth & fort Wm & Mary at the news of the surrender of Louisbourg which was read at the board & concurred & assented to by the Govr.

Adjourned till tomorrow 10 o'clock A. M.

Saturday July the 6th 1745. Met according to adjournment.

Present [as before.]

A Petition signed Mary Sherburne (2) Praying relief in an affair of a mortgage Deed obtained from her contrary to her knowledge &c. by Joseph Sherburne of Boston (3) read, recommended & sent down to the House.

(1) See notices of Matthew Livermore and William Parker, Esqs., in "Journal of the House," (foot notes) pp. 618, 626.—ED.

(2) MARY SHERBURNE was the widow of Hon. Joseph Sherburne, one of his Majesty's Council, who died at Portsmouth, Dec., 1744, aged 64. Mrs. Mary died March 6th, 1746, aged 61.—ED.

(3) JOSEPH, their son, was administrator of the estate.—ED.

Coll. Wallingford from the House bro't up the acc^{t} of Saml Smith Esq. as Comissary to sund^{y} scouts on the frontiers & vote of the House thereon for Payment of Parte of the charge, read & ordered to lay upon the Table for consideration.

And alsoe an acc^{t} of Maj. Greenlieff for sund^{y} Expences at the Proclaiming Warr with France &c. read at the board & ordered to Lay for consideration.

Mr. Jennes from the House bro't up the vote for sending a reinforcement to Louisbourg which was read & concurred & assented to by the Governour.

Alsoe Two votes of the House for paying the several Persons Imployed in Landing the stores for the fort which was concurred by the Council & assented to by the Governour.

Capt. Bell Bro't up the Petition of Mary Sherburne as Entered this day & vote of the House thereon for notifying the s^{d} Joseph Sherburne to appear &c. which was read at the board and concurred & assented to by the Governour.

[p. 346.] His Excelency sent the Secretary to the House to inform them that he required the attendance of the Speaker & House in the Council Chamber, who came up accordingly & then his Excelency gave his assent to the following acts, viz.

An act for Emitting £6000 for & toward the Louisbourg Expedition.
An act for the relieff of Saml Bathrick a Prisoner, &c.
An aditional Excise Act.
An aditional about the £25000 Loan.

His Excelency adjourned the General Assembly to Wednesday 24th of this Inst. July at 10 o'clock, A. M.

At a Council & General Assembly held at Portsm^{o} according to adjournment on Wednesday, July 24th 1745.

Present his Excelency the Governour

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs	Richd Wibird Saml Smith John Downing Saml Solley	Esqs

His Excelency sent the Secretary to the House with several Letters from Lt. General Pepperell, Commodore Warren & Coll. Moore from Louisbourg, which was Don & the Letters left with the speaker.

Adjourned till tomorrow 10 o'clock, A. M.

Thursday July 25th 1745. Met according to adjournment.

Present [as before, except, his Excelency.]

[P. 347.] The Comittee appointed to Deliver the Books of records &c. to Mr. recorder Peirce made a report that agreeable to the sd order they had delivered the sd Books to sd recorder & filed a rect from sd Peirce for the same.

Mr. Giddings from the House bro't up a vote Desireing his Excelency would order the Inlisting or Impressing Thirty men more then formerly voted for scouting & guarding frontiers till the first of August next which was concurred by the Council.

Major Davis from the House with a vote for appointing a Comittee to Joyne with a Comittee of Council to Draw an address to his Majty on his success at Louisbourg and a Petition Praying his Majtys relieff under the heavy burthen occasioned by the sd Expedition which was read at the board & concurred, and a Comittee added at the board.

Coll. Wallingford from the House bro't up a muster roll of John Huckings (1) a leader of a scout on the frontiers &c. & a vote of the House allowing the same to be paid which vote was read at the board & concurred.

Adjourned till to morrow 10 o'clock A. M.

Fryday July 26, 1745. Met according to adjournment.

Present his Excelency the Governour.

[Councilors as before.]

Mr. McMurphy from the House bro't up a vote appointing a Comittee to Provide for & Transport the French People (sent up from Louisbourg) to France agreeable to Articles of Capitulation read & concurred by the Council & assented to by ye Governour.

Coll. Gillman from the House to desire the House may withdraw [P. 348.] their vote of yesterday relateing to the thirty men the House Desired his Excelency to Inlist or Impress to guard & scout the frontiers — ordered that the sd vote may be sent to the House & accordingly was sent down by the Secy.

The House send up their vote for keeping seventy-five men or any such parte of them as occasion may offer for one month more than in the former vote — which sd vote was concurred by the Council & assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

(1) Written Huggins in the margin.—Ed.

Saturday July 27th 1745. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Richd Wibird Saml Smith John Downing Saml Solley	Esqs.

Mr. Wallingford from the House bro't up the following votes, viz:

A vote for allowing Ten shillings to Atkins Kennard for transporting the French People's goods &c.

A vote for an allowance to Capt Henry Sloper for carrying Proclamation to the Isles of Sholes &c.

A vote for an allowance to sd Sloper in full of his acct for vessels hire &c to Casco Bay.

All which were concurred by the Council and assented to by the Governour.

Mr. Gage from the House bro't up a vote for a further allowance [p. 349.] to Benja Thomas a voluntier that was wounded in the Expedition agst Louisbourg which was concurr'd at the board & assented to by the Governour.

Mr. Davis & Sanburne bro't up a Draft of an address to his Majty & vote of the House thereon for Transmitting the same by the first vessel (1).

His Excelency asked the advice of the Council weither he should grant his Warrt on the Treasury for the Sundy allowances heretofore made by the General Assembly to which they did advise & consent.

His Excelency adjourned the General Assembly to Tuesday the 24th of September next at 10 o'clock A. M.

At a Council & General Assembly holden according to adjournmt on Tuesday September 24th 1745.

Present his Excelency the Governour

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Richd Wibird John Downing Saml Solley	Esqs.

His Excelency sent the Secretary to the House with the following Papers & with Directions to Leave the same with the Speaker, viz.

A Letter from his Excelency Governor Clinton Dated August 24th 1745, and Two other Papers relateing thereto.

(1) "See said Address in "Journal of the House," p. 369.— Ed.

Alsoe a Letter from his Excellency Governour Shirley, Dated at Louisbourge September 2d 1745.

Alsoe a Letter from Col. Moore from Louisbourg Dated September 4th 1745.

And alsoe a written Messa to the Assembly — all which were Delivered to the Speaker & a return thereof made (1).

Adjourned till tomorrow 10 o'clock, A. M.

[P. 350.] At a Council & General Assembly holden at Portsm° according to adjournmt Wednesday September the 25th 1745.

Present his Excelency the Governour

[Councilors as before.]

Major Davis from the House bro't up the acct of Matthew Livermore Esq. for his charge in farming out the Excise & vote of the House thereon — allowing the same which was concurr'd by the Council and assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

Thursday, September 26th 1745. Met according to adjournmt.

Present [as before.]

Mr. Sanborn from the House bro't up a vote ascertaining the several sums granted as a bounty for the scalps of the Indian enemy bro't in by volunteers &c.

Mr. Giddings from the House bro't up a vote for the payment of the officers & soldiers (in the first Imbarkation agst Louisbourg) six months wages &c. which was read & laid on the table.

Adjourned till to morrow 10 o'clock, A. M.

[P. 351.] At a Council & General Assembly holden at Portsm° according to adjournment, on Fryday September 27th 1745.

Present [as before.]

The memorial of Salathiel Denbo Praying relieff — for stipend allowed him for a wound he recd in an Expedition against Annapolis royal, being expired,

And alsoe the memorial of the officers in Pay of this Province now at Lewisbourg &c. read at the board & sent down to the House by the Secy & Mr. Wibird.

(1) Gov. Clinton's & Coll. Moore's letters cannot now be found. See Gov.'s Message and Gov. Shirley's letter, "Journal of the House," p. 371, 372. — Ed.

[The following is a copy of said Memorial, copied from MS. Corr. in Secretary's office, Vol. I, p. 249.]

To the Honourable General Assembly of his Majestys Province of New Hampshire.

The Memorial of the Subscribers humbly sheweth

That we haveing had the Honour to be Commission officers in the late Expedition against Louisbourg and through the Divine Goodness being returned, we esteem ourselves bound in conscience for the sake of our dear fellow souldiers who are left behind, to let you know that there was a very general cry of Injustice and oppression against our Commissary throughout the regiment, dureing the greater part of the siege, and that, besides the great uneasiness occationed by the soldiers being deny'd their just allowances, the Discontent was increased and aggravated by an uncompassionate refusal of Necessaries to the sick, such as butter, flower and fresh meat to make broth of, which we have been inform'd was generously granted by the Honourable Court and plentifully provided by the Committee of War; while he himself fared sumptuously every day and for the most part, free from toil and out of the reach of danger.

As to the particulars of his dreadfull mannagement, if the Honourable Court will be pleas'd to appoint a Committee to inquire into them, and fix a time for it and give publick notice thereof, we presume, they will soon be encompass'd about with a Cloud of Witnesses, who will fully evince, not only that there was just ground for the general discontent and uneasiness; but that his tender mercies were Cruelty.

As many of the souldiers yet Remaining at Louisbourg were enlisted into the Companys whereof we were officers, we think ourselves more especially obliged, for that reason to do our utmost for their care, comfort and relief from oppression.

We address this to your Honours as Patrons of the people and Guardians of their rights, properties and privileges for your wise consideration, that you may, if you think proper apply to his Excellency to recall him from his command, and more especially that he may be removed from his commissaryship, that the voice of fraud, injustice and oppression may be no more heard in our regiment.

Be pleased to give us leave further to say, the souldiers who went first to Cape Breton, were not only voluntiers, but have proved themselves gallant and brave to the last degree; that they endured hazards and hardships with intrepidity, when almost naked and quite lousie, without flinching from shot or shell, and being upon duty 24 hours at a time (in turns) without one morsel of hot meat, or one drop of spirits while on duty (and nothing better to drink than ill tasted *pinging* waters) during the greater part of the Siege.

Once more give us leave to speak, and to let us ask wheather such men as these, men perhaps as brave as any in the world, who have thus gallantly done, and patiently suffered, and who merit greater rewards from their country than their country is able to bestow upon them, wheather it is fit that soldiers of such a character, Heros of such virtue, should be command by a Tyrant or have the necessarys of life dealt to them by a griping oppressor. God forbid.

These suggestions, being humbly submitted to your wise consideration, with our prayers for proper relief, in behalf of our friends and fellow souldiers, We shall ever pray as in Duty bound.

Captains.	*Leuten*ts.	*Ensigns.*	*Sargeants.*
Daniel Lad	Sam^{ll} Connor	Thomas Pickeren	John Dollof
J. Sherburne			John Carty
			Nich^{s} Whidden
			Joshua Jackson
			Ebenezer Jackson

Souldiers.

Nathan *Fales?*	John Judkins	James Nelson
Samuel Edgerley	Charles Robson	John Nelson
Charls Glidden	Samuel Buntin	Richard Bassett
John Hall, jun	Samuel Arickson	Sam[l] *Read?*
Benjamin Mason	Elisha Jackson	Jothen Studley
		Theopilus Dam
		Waymouth *Ram?*
		John Libby (1)
		Michael Martin.

The act in adition to sund[y] acts relateing to the distribution of Intestate & Insolvent Estates, read again & Passed in Council and assented to by the Governour.

As was alsoe a vote for paying the officers & soldiers waiges that were return'd from Cape Britton.

Mess[rs] Davis Levit & Jennes from the House bro't up a vote for Emitting the sum of Twelve thousand pound for Paying the Expences of supporting the army at Lewisbourg which being read at the Board the Council were unanimously of oppinion that the periods mentioned in the s[d] vote for repaying the same was put off at too great a Distance and accordingly sent Messrs. Atkinson & Wibird to acquaint the House thereof with Directions to leave the s[d] vote with the House for an amendment.

Mess[rs] Wear & Giddings from the House return the s[d] vote without alteration & Pray the Council to reconsider the s[d] vote togeather with their Mess[s] sent up therewith.

Adjourned till to morrow 10 o'clock, A. M.

[P. 352.] At a Council & General Assembly holden at Portsm[o] according to adjournm[t] on Saturday September 28th 1745.

Present

[Councilors as before.]

Mr. Sherburne from the House bro't up Two votes, viz.

One for the payment of the officers & soldiers now at Louisbourg &

One for sending a Chirurgeon in the room of Dr. Peirce according to the s[d] Doctors Desire.

Mr. Gillman & Sandburne from the House bro't up the vote for allowing the Portlage Bill of the Schooner Flying-fish, John Bush Master, a Transport on the Lewisbourg Expedition which was read.

Alsoe — a conditional vote for an allowance of fifty shillings as a bounty to each voluntier on the Expedition ag[st] Lewisbourg over & above the former bounty which was alsoe read.

Adjourned till Monday next 10 o'clock.

(1) The foregoing is a copy of the original petition, which is indorsed, "Memorial of sundry officers & soldiers relating to the People at Louisbourg, 27 Sept. 1745." In Potter's Military History, Adj. Gen. Rep., Vol. II, 1866, pp. 73-75, is a printed copy of said petition, with the names of eight persons as signers, not one of whom appears in the above list.—ED.

Monday the 30th September 1745. Met according to adjournment.

Present

[Councilors as before.]

There not being a Quorum of the House the Gen[l] Court is adjourned till tomorrow 10 o'clock A. M.

[P. 353.] Tuesday October 1st 1745. Met according to adjournment.

Present his Excellency the Governor.

George Jaffrey Jotham Odiorne Henry Sherburne Theodore Atkinson	Esqs.	Rich[d] Wibird John Downing Sam[l] Solley	Esqs.

Messrs Atkinson & Solley with a Mess[s] from the Council to the House with the vote of the House for Emitting £12000 to acquaint the House that it was still the unanimous oppinion of the Council that the s[d] vote ought not to pass as it now stands, for the reasons before given & therefore Desired that the House would reconsider the Amendment Proposed by the Council.

Mr. Sanburn from the House bro't up the Portlage Bill of the Schooner Molly a Transport in the Expedition ag[st] Louisbourg & vote of the House thereon allowing the same to be paid which was read at the board & concurr'd and assented to by the Governour.

And alsoe a vote for paying sund[ry] persons from Capt. Brackets Troop for service Done in Landing the Ordnance stores at Fort Will[m] & Mary, which was read at the Board & concurred and assented to by the Governour.

And alsoe an acc[t] of Master Scales for medicines & attendance to a soldier on the frontiers & vote of the House for allowing the same read & concurr'd at the board and assented to by the Governour.

And alsoe sund[y] acc[ts] of Expenses in farming the Excise & votes thereon which was read & ordered to lay till the Comittee for that affair bro't in their acc[t].

Mr. Jennes from the House bro't up the Portlage Bill of y[e] schooner Sarah & Eliza (Will[m] Branscom Master) a Transport in the Expedition ag[st] Lewisbourg & vote of the House thereon allowing the same — which was read at the Board & concurr'd and assented to by the Governour.

[P. 354.] Mr. Palmer from the House bro't up the Memorial of Salathiel Denbo as Entered the 27th of September last, with a vote of the House thereon for an allowance to the Memorialist of 40*s* pr annum for three years which was read at the board & concurr'd.

Upon the Petition of Benj[a] Thomas as Entred the 27th July

last & vote of the House for an allowance of 9*d* pr day &c. which was read at the Board & concurr'd.

Adjourned till to morrow 10 o'clock A. M.

Wednesday October 2d 1745. Met according to adjournment.

Present [as before.]

Mr. Sherburne from the House bro't up the muster Roll of Wm. Moulton a leader of a scout on the frontiers & a vote of the House thereon allowing the same, which was concurr'd by the Council & assented to by the Governour.

Alsoe the Portlage Bill of the Briganteen Meshech & Mehetable, John Martin master a Transport in the Expedition agst Louisbourg & vote of the House for paying the same read & concurr'd by the Council & assented to by the Governr.

Mr. March from the House bro't up the muster roll of Timothy Roberts a leader of a Scout on the frontiers & vote of the House thereon for paying the same which was concurr'd by the Council & assented to by the Governour.

[P. 355.] And an acct of the widdow Peacock for nursing, &c. Two French Prisoners that were sick amo to £9 : 14 : 10 & vote of the House thereon allowing the same to be paid which vote was concurr'd by the Council and assented to by the Govr.

Capt. Gage from the House bro't up the muster roll of Jeremiah Clough (1) a Leader of a Scout & allowance thereon which was read at the board & concurred & assented to by the Governour.

Alsoe an acct of Robert Tufton Philbrook for mending sundy Voluntiers guns for the Expedition agst Louisbourg & vote of the House for allowing the same which was read at the board & concurr'd & assented to by the Governr.

And alsoe an acct of Messrs. Jennes & Wear for making the £6000 & vote of allowance thereon which was read at the board & concurred & assented to by the Governr.

Mr. March from the House bro't a vote for an allowance to Walter Warren for mending Voluntiers guns for the Expedition — which read at the board & concurr'd by the Council & assented to by the Governour.

Adjourned till tomorrow morning 10 o'clock A. M.

Thursday Octo: 3d 1745. Met according to adjournment.

Present [as before also] Saml Smith, Esq.

Messrs. Wear & Sanburne from the House bro't up the vote of the first Inst for Emitting £12000 with the following Messa viz. In answer to the Council recomendation of yesterday viz. That

(1) See muster Rolls of Capt. Jeremiah Clough in "Potter's Mil. Hist.," Adj. Gen. Report, 1866, Vol. II, pp. 76-82.—Ed.

the House are ready to pass a vote for Emitting £12000 upon con-
[P. 356.] dition that the time for repaying the same may be extended three years beyound the former funds £6000 of which to be paid in the last six years of the former funds & the other six thousand upon the three succeeding years — otherwise the House adhier to their former Vote & Pray the Council would Pass upon it.

Coll. Wallingford from the House bro't up the vote on the Muster roll of Capt. Hanson for an allowance to sundry Troopers in scouting fron^{trs} for allowing the same which was read at the board & concurr'd & assented to by the Governour.

Mr. March from the House bro't up the following votes, viz.

A vote of the House for allowing & Paying the acc^{t} of Joseph Moulton going Express to Boston &c. which vote was concurr'd by the Council & assented to by the Govern^{r}.

Alsoe an allowance to Francis Tucker for his Acc^{t} for supporting sund^{y} French Prisoners which was concurr'd by the Council and assented to by the Governour.

Alsoe a Portlage Bill of the Transport sloop Betty, Saml Barnes Master, Employed in the Expedition &c. & vote of the House thereon allowing the same which was read at the board & concurred and assented to by the Governour.

A Bill for Docking an Entail of a House-lot in Possession of Daniel Jackson in Portsm^{o} as Passed in the House read a first time at ye Board.

A message from the Council to the House by Messrs. Atkinson
[P. 357.] & Wibird in answer to the House's message of this day to acquaint the House that the Council would come into their proposal Provided the bill was clear for the Expedition only & nothing else contained therein.

His Excelency by the Secretary asked the advice of his Maj$^{ty's}$ Council weither they would advise him to grant his Warr^{t} on the Treasury for the several allowances heretofore made — to which they did advise & consent.

Adjourned till tomorrow 10 o'clock A. M.

Fryday Octo. 4, 1745. Met according to adjournment.

Present [as before.]

Collonel Wallings from the House bro't up the muster roll of Saml Millar a leader of a scout in the frontiers & vote of the House allowing the same which was concurred by the Council and assented to by the Governour.

And alsoe a muster roll of Timothy Roberts for scouting on the frontiers & vote of the House thereon allowing the same which was read at the board & concurred & assented to by his Excelency.

Mr. Wear bro't up an acc^{t} of Mr. Paul March for Rum & Sugar Expended amongst the companys of foot & Troops at the Pro-

claiming War against the Indians which was read at the board & concurred and assented to by the Governour.

Alsoe a vote for subsisting Ten men at fort William & Mary for six months from this day which was read at the board & concurr'd & assented to by ye Governour.

[P. 358.] Mr. Wallings from the House bro't up the muster roll of John Huckins a leader of a scout on the frontiers & a vote of the House thereon allowing the same which was read at the board & concurred and assented to by the Governour.

Mr. Sanburn from the House bro't up a vote enabling the Committee of War affairs to provide for a larger number of men at Cape Britton than mentioned in the vote for emitting the last money which was read at the board & concurred & assented to by the Governour.

Alsoe a vote for Emitting £8000 amended as recomended which was read at the board & concurr'd by the Council & assented to by the Governour—his Excelency first ordering a minit to be made in the Council book that his assenting to the vote with the clause relateing to the General Assemblys appointing a Comissary should not be pleaded as a president for the future & then his Excelency sent the Secretary to the House to acquaint y^m of this minit, which was accordingly Don.

Mr. March from the House bro't up a vote appointing Mr. Sampson Sheaff Comissary to go with and take care of the sund^y Provisions & Stores about to be sent to Lewisbourg for the army posted there which was read at the board & send down & amended by the House read again & concurr'd by the Council and assented to by the Governour.

Mr. Wear from the House with a vote for Delivering the money Plates to the Comittee for Imprinting the £8000 which was read at the board & concurred and assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

[P. 359.] Saturday Octo. 5th 1745. Met according to adjournment.

Present [as before.]

Mr. Wear from the House bro't up a vote for enabling the Comittee appointed for sending stores to Lewisbourg to receive money into the Treasury for that end which was read at the board & concurred and assented to by the Governour.

A vote of Council for appointing a Committee to write to the agent Passed & send down for concurrence.

His Excelency send the following Mess^a to the House by Messrs Wibird & Downing, viz To Enquire of the House if they intended to support the 25 men now scouting between Merrimack & Connecticut & the other scouts now Imployed on the frontiers

any longer — the time being near Expired for which subsistance was granted — otherways he should be obleidged to recall them.

An Slaytons acc^t for expenses at her house in farming Excise & vote of the House thereon for Payment thereof read & concurred & assented to by the Governour.

An Acc^t of Maj^r Greenlieff for sund^y Expences on the same occasion & vote of the House thereon allowing the same, read to the board & concurred & assented to by the Governour.

Mr. Livermore's acc^t for taking Bonds &c. for payment of the Excise &c. & a vote of the House thereon for allowing & Paying the same which was read at the board & concurred & assented to by the Governour.

[P. 360.] The Council took under consideration the vote of the House of the 28th September last directing the Comittee to make out a list of all officers & soldiers of the first Embarkation ag^st Louisbourg & for paying to each that are not yet returned seven months wages Except Coll Moore — which vote was read & Debated & the Question put weither they would concur or not & it Pass'd in the negative, nemine contradicente, and a Mess^a was sent by the Secretary to acquaint the House thereof, and that they approved of every part of the s^d vote but what therein relates to Coll. Moore which they could by no means think reasonable to stand in that vote.

Letters from Col. Samuel Moore.

[Copied from MS. Corr. in Secretary's Office, Vol. I, p. 253-255.]

Louisbourg Octo^r 17th 1745.

May it Please your Excellency,

These comes by Capt William Seaward with Capt Parsons with whom comes sixteen of our men being part of Thirty nine we have this day obtained leave for, to come home (the Troops from England not arrived & it is feared they will not come this Fall) Two hundred & Eleven of them in the New Hamp^r pay still remains detained against their Wills, also Fifty two in the Mass^a Pay, there is no Doubt but his Majesty will pay their wages & subsistance & therefore Beg we may not be left here to be sold as the Egyptians sold themselves to Joseph for Bread.

It is here publickly talk'd that the Brig. Gen^ll & Brig^r Waldo are to have Each of them Col^o Commissions from the King, many Cap^ts, Col^os &c. of the Mass^a have left their men to others & some attempts have been made upon the New Hampshire, which if we can obtain subsistance from our own Province I hope will have no effect: But as I said before if we come to want we must do any thing for Bread.

Lieut. Col^o Meserve & Maj^r Gilman Intend to sail tomorrow by whom will come a particular List of the men which remain here as also those who now come home & an acc^t of what they have had of the Prov. Stores.

Mr. Warren is appointed Governor & Comander in chief of this Place. The Gen^ll determines to tarry this Winter. I hope we shall have a Vessell from New Hamp^r to bring down such things as our governm^t pleases to send & also the Relations of those that Tarry that so they may be as comfortable as may be. Beding & Cloathing still wanting as I wrote in June last & several other opportunitys. I need not Say how Necessary they are in this cold

Climate. I don't know the reason that no answer was ever given to the request for Cloathing for some, & Beding for all, but I am sure it is so much of Necessity that it is morally Impossible the men can live without.

(Coppy)

Your Excellencys most humble
Most obedient Serv't.
Sam[l] Moore.

Oct[o] 20th 1745, Pr. Col. Meserve.

May it please your Excellency

These comes by Lieut Col[o] Meserve with a List of the men now Dismist. I now send to the Treasurer, a Muster Roll of the whole Regim[t] that remains here also an acc[t] of what each man hath had of the cloathing &c. out of the Stores by which the acco[ts] may be settled so as to pay the men or their orders their wages.

Yesterday was publish'd at the head of the army Mr. Shirley's design of soon Leaving this Place; & read a letter from the Regency advising of their appointing Mr. Warren Governor & Commander in Chief of this Place; so that upon Mr. Shirleys departure, tis suppos'd Mr. Warren will take upon himself the chief command here; I hope he will make a good Governour & he hath frequently Express'd his Inclination to be serviceable to the Collonys, so I do believe he will, he hath wrote to the Lords of the Admiralty proposing the building men of war in New Eng[d], the largest at Piscataqua, I hope it will take Effect; Col[o] Meserve & Maj[r] Gilman will be able to give a more Particular acc[t] of things here by Word of Mouth than I can write.

The General just told me he should write to your Excellency by this opportunity & transmit coppys of the Duke of New Castle & the Lords of the Admiralitys Letters which I got coppied for that Purpose which I hope will have this good effect to convince our General Court of the great Probability of the Crowns paying the Expence of the subsisting our Forces.

I am with all due Respects,
Your Excellency's most
Hum[b] & most obed[t] ser[t]
Sam[l] Moore.

Louisbourg, Novemb[r] 18th 1745.

May it please your Excellency—

Since my last by Coll. Meserve there is nothing arrived from England. Our people are supply'd with out side cloathing from the Publick stores & when beding comes are to have that also. Shirts & stockings will be wanted. Mr. Warren hath given an order upon the store keeper to supply us with every thing we may want, of all sorts of Provisions that they have.

I hear there are many Grievous things laid to my charge such as I abhor. I am sorry they Blemish their own Credit by an unreasonable Discontent. Capt. Lads Tryal & Dismission, a copy of it I send to the Secretary. Capt. Sherburn was on board the Monk in the Massachusetts Pay whose Provision was not so good as ours, part of which I got changed & some out of New Hamp[r] stores, as one Regiment was part in one Pay and part in another It was a Difficult thing to Please, it is impossible for me to describe but by word of mouth, which when called to I hope I shall be able to satisfy & content all reasonable men.

I beg this favour of your Excellency, that I may be heard before condemned.

The three Deserters Foy, Welch & Rawlings are bro't back & cleared by a Court Martial from the charge of Desertion.

I am your Excellencys
Most obed[t] & Humble serv[t]
Sam[l] Moore.

Mr. Wear & Sanburn from the House bro't up the Bill for emitting the sum of £8000 for defraying the charges of supporting the soldiers now at Louisbourg which was read a first time.

Mr. Israel Gillman bro't up from the House the following votes, viz.

A vote for paying an acc^{t} of Doctor Nath^{n} Rogers for sund^{y} Administration to the French prisoners & a vote of the House thereon for Paying the same which was concurred at the board and assented to by the Governour.

A vote for paying & subsisting 130 men to remain at Lewisbourg the same allowance as shall be given by the Mass^{a} to soldiers in the Pay of that Governm^{t} which vote was concurr'd by the Council and assented to by the Governour.

A vote of the House for giving liberty to Capt. Prescot (1) to receive out of the Treasury two months wages for the men in his company to Purchase such stores for them as they had sent for by him and alsoe Two months for the other soldiers if so much Due [p. 361.] to them — which vote was read at the board & concurr'd by the Council & assented to by the Governour.

And alsoe a vote for a Comittee to adress his Maj^{ty} in respect to the great expence of the Expedition agst Louisbourg.

And alsoe to acquaint the board that their vote relateing to the s^{d} Address &c. of this day was non concurred by the House.

The Bill for emitting the sum of £8000 read a second & third time & Passed in Council, his Excelency was Pleased alsoe to give his assent to the s^{d} Bill.

His Excelency adjourned the General Assembly to Wednesday the 20th November next at 10 o'clock A. M.

At a Council & General Assembly holden at Portsm^{o} according to adjournment on Wednesday November the 20th 1745.

Present

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Saml Smith John Downing Saml Solley	Esqs.

Nothing coming from the House, adjourned till to morrow 10 o'clock A. M.

Thursday Nov. 21, 1745. Met according to adjournment.

Present [as above.]

[p. 362.] A Petition of Benj^{a} Thomas a voluntier in the Expedition agst Louisbourg who was wound^{d} at the attack of St. Peters

(1) Capt. Jonathan Prescott's company consisted of 40 men, of whom four were reported as sick. [*See Potter's Mil. Hist. Adj. Gen. Report, Vol. II, p.66.*]—Ed.

by which he hath lost the use of his arm &c. Praying the consideration & relieff of the General Assembly &c. read & sent down to the House by Coll. Downing.

Adjourned till to morrow 10 o'clock A. M.

Fryday, November 22d 1745. Met according to adjournment.

Present [as before.]

Mr. Sherburne from the House bro't up a vote for an allowance to Matthew Thompson for carrying Proclamation for Thanksgiving which was read at the board & concurr'd.

Adjourned till to morrow 10 o'clock, A. M.

Saturday Nov. 23d 1745. Met according to adjournment and adjourned till Monday next, 3 o'clock P. M.

[P. 363.] Monday, Nov. 25, 1745. Met and adjourned till to morrow 10 o'clock, A. M.

Tuesday November 26th 1745. Met according to adjournment.

Present

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Saml Smith John Downing Saml Solley	Esqs.

Mr. McMurphy from the House with the following allowances, viz.

An acct of Jeremiah Libby for work don the Prison & vote of the House thereon allowing the same to be paid which was read & concurr'd and assented to by the Governour.

An acct of Ebenezr Wentworth for a Blanket, &c. for an Indian & vote of the House thereon allowing the same to be paid which was read at the board & concurr'd and assented to by the Governour.

[P. 364.] An acct of Mark Hunking Wentworth for a shirt for an Indian & vote of the House thereon for paying the same which was read at the board & concurr'd & assented to by the Governour.

An acct & valuation of Damages Don to six Guns Impressed for the Expedition agst Lewisbourg & vote of the House thereon for Paying the same which was read at the board & concurr'd and assented to by the Governour.

His Excelency alsoe gave his assent to the allowance made by the General Assembly to Matthew Thompson entered the 21 Inst.

A Petition of Joshua Purrington & others Quakers in behalf of Daniel Sawyer about some Land Distrained from him by the Constable of Nottingham for ministers rates &c. & Praying relieff therein read & sent down to the House by the Secretary.

Alsoe a memorial of Joseph Blanchard, Esq. Praying an allowance for sund^y Expresses sent by him by his Excelencys orders, read & sent Down by the Sec^y.

Maj^r Davis bro't up the muster roll of Jeremiah Clough for services Don in Garrisoning Canterbury on Merrimack river & vote of the House thereon allowing the same which was read at the board & concurr'd.

Alsoe a muster roll of William Miles a Leader of a scout about Winipisiocke Pond & Pemidgwasset & vote of the House thereon allowing the same, which was read at the board & concurr'd and assented to by the Governour.

His Excelency sent a written message to the House (1).

Adjourned till to morrow 10 o'clock, A. M.

At a Council & General Assembly holden at Portsm° according to adjournment on Wednesday, Nov. 27, 1745.

[P. 365.] Present

George Jaffrey	Esqs.	Samuel Smith	Esqs.
Jotham Odiorne		John Downing	
Theod. Atkinson		Saml Solley	

Mr. Giddings from the House bro't up the muster roll of sund^y Troopers in Capt. Adams Company for services Don in scouting frontiers & vote of the House thereon for Paying the same.

Alsoe an acc^t of Mr. Hunking Wentworth for a book of Records for the Inferiour Court & vote of the House for paying the same.

And alsoe a vote for choice of a Comittee to auditt the Treasurers Acc^ts.

And one other vote for choice of a Comittee to tell over the money in the Treasury that is to be burnt.

Adjourned till to morrow 10 o'clock, A. M.

Thursday November 28th 1745. Met according to adjournment.

Present [Councilors as before.]

A Petition of sund^y voluntiers in the late Expedition ag^st Lewisbourg & at the attack of the Island battry there praying some consideration for the loss of their guns, clouths, &c.

(1) See this Message in "Journal of the House," p. 390.— Ed.

A Petition of James & Samuel Greg Praying relieff in a Judgment of the Superiour Court &c. read & sent down to the House.

A Petition of Benj[a] Barker Praying for a Comittee to Divide a Piece of Land in Dracut the same being under such circumstances as that it cannot be done any other way read & sent down to the House.

The Petition of Doctor Robert Gillman a voluntier in the Expedition ag[st] Lewisbourg Praying some consideration for a [P. 366.] wound & other Damages he rec[d] in the Expedition which was read and sent down to the House.

Mr. Weare from the House bro't up the following Papers & votes, viz.

An acc[t] of Mrs. Peaslee for nursing & Lodging French Prisoners with a vote of allowance thereon, which was read at the board & concurr'd.

Alsoe a vote appointing a Comittee to settle what shall be found due to the several officers & soldiers in the Expedition ag[st] Lewisbourg & to make a certificate thereof & deliver the same to the Treasury in order to their being paid which was concurr'd at the board and a Comittee added.

An acc[t] of Hunking Wentworth Esq. for sundrys, for making the £25000 Loan and a vote of the House thereon allowing the same read at the board & concurr'd.

Mr. Sanborn from the House bro't up a vote appointing a Comittee to examine into the State of the several funds on which the money of the old Ten[r] was emitted & how far they have been complyed with which was read at the board and a Comittee added & concurr'd.

Alsoe a vote requiring the Comittee of the £15000 Loan to lay a State of that fund before the General Assembly & shew how far the act on which the same was emitted hath been comply'd with which was read at the board & concurr'd.

Adjourned till to morrow 10 o'clock A. M.

At a Council & General Assembly holden at Portsm[o] according to adjournm[t] on Fryday Novemb[r] 29, 1745.

Present his Excelency the Governour.

[P. 367.] Jotham Odiorne, Theod[e] Atkinson } Esqs. John Downing, Sam[l] Solley } Esqs.

His Excelency gave his assent to the several Votes of the House that were concurr'd by the Council on the 27th & 28th Instant.

Adjourned till to morrow 10 o'clock A. M.

Saturday Nov. 30th 1745. Met according to adjournment.

Present

Jotham Odiorne, Theod. Atkinson, Sam[l] Smith } Esqs. John Downing, Sam[l] Solley } Esqs.

Mr. Jennes from the House bro't up the following Papers, viz.

Two muster rolls of Capt. John Goffe (1) as leader of a scout between Merrimack & Connecticut rivers with a vote of the House thereon allowing the same which was concurred by the Council and assented to by the Governour.

Alsoe an acc[t] of s[d] Goffes for coming to Court & attending & vote of the House thereon for allowing the same which was read at the board & concurred by the Council and assented to by the Governour.

Alsoe an allowance made to one Isaac Lufkin a voluntier for a wound he rec[d] at the attack of the Island Battery in Louisbourg which vote was read at the board & concurr'd and assented to by the Governour.

Alsoe an acc[t] of Capt. Thomas Bell for sund[ys] for fort Wm & Mary candles, firewood &c. And vote of the House thereon which was read at the board & concurred and assented to by the Governour.

A muster roll of Capt. Thomas Bell for soldiers at Fort William & Mary with a vote of the House thereon which was read at the board & concurr'd and assented to by the Governour.

[p. 368.] Alsoe a vote for an allowance to the severall Comittees that signed the three last Emitions of Paper money which vote was concurred by the Council & assented to by the Governour.

Alsoe a vote of the House Required the Comittee appointed to repair the Fort Wm & Mary to lay the acc[ts] of said repairs before the General Assembly which was read at the board & concurr'd and assented to by the Governour.

Alsoe a vote requireing the Comittee for letting out the £25000 to render an acc[t] of the Interest of s[d] Loan &c. which was read at the board & concurred & assented to by the Governour.

Alsoe a vote for making a further allowance to Capt. Goffe then granted in the muster roll of Coll. Joseph Blanchard formerly exhibited, he having in s[d] muster roll centinalls pay only, which vote was read at the board & concurred & assented to by the Governour.

(1) See Potter's Mil. Hist., Adj. Gen. Report, 1866, p. 79. Capt. JOHN GOFFE was at this time a resident of Bedford. He was the son of John Goffe, Esq., of Londonderry, and was born in Boston, 1701. He came to Londonderry with his father, who was a grantee of Londonderry. He was with Lowell in the Pigwacket fight with the Indians, 1725. In 1734 he moved to "Cohos brook" (which issued from Massabesic Pond), where he cleared up a farm and built a mill. In 1738 he moved to Bedford, but removed from thence in 1748 to his farm in Derryfield. Capt. Goffe was a man of energy and enterprise. He was Major of the N. H. Regiment in the Crown Point expedition, 1756; Lt. Col. in those of 1757, '58 and '59, and Colonel in 1760. Subsequently he was Colonel of the 9th N. H. Militia for many years, and Judge of Probate for Hillsborough County from 1771 to 1776. He died in Derryfield, October 20, 1788, aged 87.—ED.

The Petition of John Deverson & sundry others voluntiers on the Expedition at Louisbourg, Praying some consideration for the loss of time (since they came home) by reason of sickness &c. read and sent down to the House by the Sec^{y}.

A vote of the House Desireing his Excelency would cause to be Inlisted or Impressed Ten men to be posted at Fort Wm & Mary till the 25th March next read at the board & concurred and assented to by the Governour.

His Excelency asked the advise of the Council weither he should grant his warr^{t} on the Treasury for sund^{y} allowances made this sessions & heretofore, to which they did advise and consent.

His Excelency adjourned the General Assembly to Tuesday [p. 369.] the 17th of December next then to meet at Portsm^{o} at 11 o'clock A. M.

At a Council & General Assembly holden at Portsm^{o} according to adjournm^{t} on Tuesday the 17th day of December 1745.

Present

George Jaffrey	Esqs.	Saml Smith	Esqs.
Jotham Odiorne		John Downing	
Theod. Atkinson		Saml Solley	

The Petition of sund^{ry} Persons Inhabitants of the District of Nottingham setting forth that they were rated to Londonderry and alsoe to the s^{d} District this year & Praying redress in the Premises read at the board & send down to the House.

Adjourned till tomorrow at 10 o'clock A. M.

Wednesday December the 18th 1745. Met according to adjournment.

Present His Excelency the Governour.

[Councilors as before.]

A message from the House to his Excelency to acquaint him that there was a new member that was not Quallifyed & Desired that his Excelency would Direct that he might be Qualifyed.

His Excelency sent the Sec^{y} to the House to Desire they would let him know by what authority y^{y} had rec^{d} such a member.

Mr. Levit from the House bro't up the Speakers Precept Directing the Town of Portsm^{o} to Ellect a Person in the room of Nathl Rogers Esq. Deceased (1) being one of the members for [p. 370.] the s^{d} Town of Portsmouth upon which the sherriff made return that James Clarkson, Esq. was ellected.

(1) Doctor NATHANIEL ROGERS was of Portsmouth, son of the Rev. Nath'l Rogers, born in 1700, and graduated at Harvard College 1717. He studied the theory of physic and surgery with Doctor Bailey, of Ipswich, commenced practice in Portsmouth, and followed it several years with success. He died in the month of November, 1745, aged 45. [*Ad. Ann. Portsmouth, pp.* 181-2.]—ED.

Upon which his Excelency send the Sec^y with two members of Council to administer the Proper oaths &c. to the s^d James Clarkson, Esq. which was accordingly Don & a return thereof made.

Adjourned till tomorrow 10 o'clock, A. M.

Thursday December 19th 1745. Met according to adjournment.

Present His Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Saml Smith John Downing Saml Solley	Esqs.

Mr. Wallingford from the House bro't up the Petition of sund^r Inhabitants of Nottingham as Entered the 17th Inst. with a vote of the House thereon Directing the Petitioners to Pay their rates to the District of Nottingham till further orders & that if the Constable of Londonderry had collected the s^d rates to refund the same.

Alsoe a muster roll of John Humpry & ten Troopers scouting frontiers & vote of the House for payment thereof. Both which votes was read at the board & concurred and assented to by the Governour.

Adjourned till tomorrow 10 o'clock.

Fryday December the 20th 1745. Met according to adjournment.

Present his Excelency the Governour

George —— [Record defective.]

[P. 371.] The Petition of Edward Card a soldier in the Expedition ag^st Lewisbourge Praying a further allowance for his Extraordinary services as a gunner &c. read & recommended and sent down to the House.

Mr. McMurphy from the House bro't up the Petition of Daniel Meader a Quaker & constable of the Town of Durham as Entered the 27th of June last with a vote of the House thereon appointing a Day for a hearing on the Premises &c. read at the board & concurred and assented to by the Governour.

Mr. Sanburn from the House bro't up the acc^t of Nehemiah Ordway & Robert Rogers for medicines & attendance on Jonathan Woodsom a voluntier in the Expedition ag^st Lewisbourg & vote of the House thereon for Paying the same which was read at the board & concurred and assented to by the Governour.

Adjourned till tomorrow at 10 o'clock A. M.

Saturday December the 21 1745. Met according to adjournment.

Present his Excelency the Governour

George Jaffrey	Esqs.	Sam[l] Smith	Esqs.
Jotham Odiorne		John Downing	
Henry Sherburne		Sam[l] Solley	
Theod. Atkinson			

Mr. Sanburn from the House bro't up the following Papers, viz. A Portlage Bill of the Sloop Endeavour, *John?* Wise master a Transport in the Expedition ag[st] Lewisbourg & vote of the House thereon for Paying the same which was read at the board & concurred and assented to by the Governour.

And a vote of the House appointing a Committee to Provide five hundred pairs of snow-shoes at the Province Expence to be [P. 372.] placed in the frontiers Towns where it may be tho't most convenient for any Emergent occasion which vote was concurred by the Council and a Comittee added and assented to by the Governour.

Alsoe a vote of the House Desireing his Excelency would give orders for Inlisting or Impressing thirty effective men to serve on the frontiers dureing the months of Jan[ry] & Feb[ry] next or till the breaking up of the Ice in the rivers with an aditional allowance of 2: 6 pr month pr man for snow shoes & mogazines which vote was read at the board & concurred by the Council and assented to by y[e] Governour.

Adjourned till Tuesday December the 31st 1745.

Tuesday December 31st 1745. Met according to adjournment.

Present

George Jaffrey	Esqs.	John Downing	Esqs.
Jotham Odiorne		Sam[l] Solley	
Theod. Atkinson			

Adjourned by his Excelencys order (there not being a Quorum of the House met) till tomorrow 11 o'clock A. M.

Wednesday, Jan[y] 1, 1745— Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey	Esqs.	Rich[d] Wibird	Esqs.
Jotham Odiorne		John Downing	
Theodore Atkinson		Sam[l] Solley	

[P. 373.] Adjourned till tomorrow 11 o'clock A. M.

Thursday Jany 2^{d} 1745—Met according to adjournment.
Present [as before.]

Mr. McMurphy from the House brought up the acc^{t} of the Committee appointed to Procure 500 for snow-shoes &c. for their expence am^{o} to £2: 15 & vote of the House thereon allowing the same which was concurred by the council and assented to by the Governour.

The Petition of Edward Hopkins a voluntier in the Expedition agst Louisbourg who returned home sick Praying some relieff from the General Court read & send down to the House.

Alsoe the Petition of Moses Meader another of s^{d} voluntiers under the same circumstances Praying some relieff &c. alsoe read & sent down to the House.

Adjourn'd till 11 o'clock tomorrow.

Fryday Jany the 3^{d} 1745–6. Met according to adjournment.
Present

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Odiorne		Saml Smith	
Theodore Atkinson		John Downing	
		Saml Solley	

Major Davis *Davis* from the House bro't up the Petition of Ed^{d} Hopkins as Entred yesterday and a vote of the House thereon al-
[p. 374.] lowing the Petitioner the sum of seven pounds 10*s* in full for loss of time &c. which vote was concurred by the Council & assented to by the Governour.

Alsoe the Petition of Moses Meader as Entred yesterday & vote of the House thereon for an allowance of five pounds in full for loss of time &c. which vote was concurr'd by the Council & assented to by the Governour.

Adjourned till tomorrow 10 o'clock, A. M.

Saturday, Jany 4th, 1745–6. Met according to adjournment.
Present his Excelency the Governour.

George Jaffrey	Esqs.	Saml Smith	Esqs.
Jotham Odiorne		John Downing	
Theod. Atkinson		Saml Solley	

Mr. McMurphy bro't up from the House the following Papers viz.

The Petition of John Deverson & sund^{y} others as Enter'd the 30th November last & vote of the House thereon for an allowance to each of s^{d} Petitioners which was concurr'd by the Council and assented to by the Governour.

Alsoe a Petition of Benj^a Lewis another of the s^d voluntiers return'd home sick & vote of the House thereon for an allowance which was read at the Board & concurr'd by the Council and assented to by the Governour.

A vote also for an allowance to Benj^a Thomas another voluntier that was wounded &c. in s^d Expedition, of 9*d* pr day till the 25 of March next which was read at the board & concurr'd and assented to by the Governour.

[P. 375.] Alsoe an acc^t of Mary Ayers for firewood candles &c. for Committees of General Court & vote of the House thereon making an allowance which was read at the board & concurred and assented to by the Governour.

Capt. Gillman Bro't up the Petition of Edward Card as Entre'd the 20th of ye last & vote of the House thereon, making an allowance which vote was concurr'd by the Council & assented to by the Governour.

Mr. Jenness from the House bro't up a vote for an allowance to Daniel Wonnall a Voluntier in the s^d Expedition for loss of a Pistol at the attack of the grand battry which was concurr'd by the Council and assented to by the Governour.

Alsoe a vote for an allowance to the widdow of Lieut. Thomas Tufts a voluntier in the Expedition ag^st Lewisbourg of £12 for his great loss & Pain in his sickness &c. which was concurr'd by the Council & assented to by the Governour.

His Excelency adjourn'd the General Assembly to the 18th Day of Feby next, then to meet at Portsm^o at 10 of the clock before noon.

At a Council & General Assembly holden at Portsm^o according to adjournment on Tuesday, Feby the 18th 1745-6.

Present his Excelency the Governour

George Jaffrey Jotham Odiorne Henry Sherburne Theodore Atkinson	Esqs.	Saml Smith John Downing Saml Solley Sampson Sheaff	Esqs.

[P. 376.] His Excelency sent the Secretary to the House with a Letter he rec^d from Governour Clinton of New York relateing to the appointment of Comissioners to Treat with the Indians & to concert measures with the other Governments for carrying on the war.

Adjourned till tomorrow 10 o'clock A. M.

[The following appears to be the letter referred to, copied from MS. "Corr." Vol. I, in Secretary's office, p. 261, and the accompanying documents pp. 225-227.]—ED.

New York, 31 Mar. 1746.

SIR—

I acquainted your Excelency the 27th Jany last, that Committees of both Houses had requested me to appoint Commissioners to treat with Commissioners to be appointed by the neighboring Governments, touching our Mutual Security and Defence during the present War. I have accordingly appointed Commissioners for that purpose, so has Governour Shirley, and I hope the like steps will be taken by your Government without delay. In the mean time I have inclosed copys of the Minutes of the Commissioners for Indian Affairs of the 25th Feby last containing the Resolution of the Six Nations of Indians as signified by the Interpreter in answer to my Message, requiring them to enter into the war with us against the French and Indians in alliance with them; that it may appear to your Excy how highly it Imports the several Colonys upon the Continent to unite their Endeavours with this, effectually to preserve the Six Nations, and the other Indians in alliance with us, and them, in their fidelity to his Majesty and dependence upon the British Interest as all are so nearly concerned in the Consequences of their Revolt, which seems next to be apprehended, since they have refused engaging in the war.

I am with great respect
Sir, your Excl most obedient
humble servant

G. CLINTON.

At a meeting of the Commissioners of Indian affairs the 22d day of January 1745–6.

Present

Hubert Marshall	Philip Schuyler
Cornelius Cuyler	Hendrick Ten Eyck
Dirch Ten Brock	Johannes Lansingh
Nicholas Bleeker	John Depeyster
	Stephen Ransalare.

The Commissioners gave the following Instructions to the Interpreter who they sent to Each Respective Castle of the Six Nations, viz.

Instructions for Mr. Jacob Bleeker.

You are hereby required and commanded forthwith to go to the respective Castles of the six Nations and tell them that his Excelency our Governour orders them to take up the Hatchett against the French and their Indians and join with us Immediately in the War against them According to their Engagement, since the Insults and Outrages committed at Saratoga take away all hopes of a neutrality, and if they will approve themselves faithfull they must demonstrate their sincerity to the great king their father by a ready and chearfull obedience to his commands in this Respect.

You are to acquaint them that there is a Reward of twenty pounds allowed for every male prisoner taken of the Enemy above the age of sixteen years, and ten pounds for the scalp of every male of the enemy above that age, and for the scalps of every male of the Enemy under that age, five pounds and for every male under that age taken prisoner ten pounds, which shall be Immediately paid to them for each prisoner or scalp they or any one of them shall bring to the Commissioners.

You are likewise to ask them the Reason of their not sending down ten men of each Castle to go out on the scout according to their promise to you. You may take with you four white men and four Indians for your Assistance who you must agree with as reasonably as you can, and buy necessary provisions for yourself and them. You are to inform yourself of all news and what is doing amongst them; and if any french men or french Indians now

are or lately have been amongst them, If you hear any thing of moment you are to dispatch a messenger forthwith to acquaint us therewith and we give you a Belt and seven hands of wampum to confirm the above message.

Dated the twenty second day of January 1745-6.

At a meeting of the [Commissioners for] Indian affairs the 25th day of [February 1745-6.](1)

Present

Hubert Marshall	John Depeyster
Myndert Schuyler	Hendrick Ten Eyck
Corneluis Cuyler	Dirch Ten Broeck
Nicholas Bleeker	Ryer Gerritse
Johannis Lansing	

Esqs. Commissrs of Indian Affairs.

The Interpreter returned and said the Sachems of the Six Nations gave the following answer to his Excelencys Message.

When he went to the Mohawks the Sachems did not think the Belt of Wampum he had large enough so he caused it to be made bigger and then told them his Message according to his Excelencys orders. The Sachems said they could give no answer then but would go with him to Canajoharie — Accordingly six of their principal Sachems went with him. When he arrived at Canajoharie he told his message to the Sachems of both Castles met together. They answered that whatever the Six Nations did they would do.

He went from thence with two white men and three Indians in company to Oneyde, when he arrived at Oneyde he delivered his message to the Sachims they answered that they would be directed entirely by the other Nations, whatever they did they would be satisfied with and do likewise.

From thence he went forward to Onondage and told them the same Message they advised that a Council of all the six Nations should be called together to consult what was proper to be done. From thence he went to Cayouge & the Sennekas land to invite those Indians to the meeting at Onondage and brought with him four of the principal sachems of each Nation. When they were all met together at Onondage he delivered his message to the whole Assembly, and — after they . . . . . gave the following answer (2).
. . . . after they had fought against one another all the . . . . . last concluded a peace with their Enemys & promised . . . . . to keep that Treaty of Peace Inviolable for ever and . . . . . still resolved to maintain that peace with all that . . . . . in alliance with them. They said it was very . . . . . them to enter into War. The Indians of the six . . . . . and the French Indians are sprung of one blood and they had made marriages and alliances with one another. One had his Father another his Uncle another his Son another his Brother and all of them some Relation or other living at Cacknawage so they would not go to war against one another. They said it was not so easy for them to go to war as it was for the white People. The English and the French have each their Masters. Their Kings make war and conclude Peace and the subjects must obey, but it was not so with them they had no king. Every Indian was his own master so that if they should once enter into war against one another there could be no such thing as making peace again but the war would continue for ever. Wherefore the six Nations concluded that they would not take up the Hatchett with the English, — they would have nothing to do with us in the war against the French and the French Indians as we desired them to do.

Brother Corlear and Queder,

We desire you will not think this makes any Breach in the Covenant chain because we give this Answer, in our former wars all the Castles of the six Nations have been cut off by the French. Never was any of our Castles destroyed but we applyed to Queder for assistance but we never got any of your help except the Mohawks only. We did not think that made any Breach in

(1) (2) Copy is here mutilated and illegible.—Ed.

the covenant chain, so we hope Brother Corlaer and Queder will not think that this makes any Breach in the Covenant chain because we do not enter into the war but that it remains as bright and strong as ever, — thereupon they gave a large Belt of Wampum.

After they gave the above answer The Interpreter told them, Brothers, you seem to be most of you old men that are here met in Council, can you have forgot how the silver Covenant chain was made between us and you. I am but young but I know it very well. When the silver covenant chain was made fast between us and you It was agreed upon for a condition thereof that whoever declared themselves Friends or Enemies of the one should be looked upon as Friends or Enemies of the other.

When you was at Albany two years agoe and spoke with his Excellency our Governour he then told you of the war but did not desire you to take up the Hatchett only cautioned you to be on your guard till he gave you notice. This last year when you was at Albany his Excellency told you we had sufficient Reason to make war for the Enemy had killed two of our Brethren in New England. Thereupon he gave you the Hatchett and desired you to make use of it when he gave you orders this you all know and you took it up and promised to be ready whenever he ordered you. What then can be the meaning of your behaving in this manner that you now deny to take it up when you are acquainted how Barbarous and cruelly they murdered our People at Saraghtoga It seems as if you have intended to deceive us all along you seem to be a double minded and deceitful people, and that you have never declared yourselves plainly till now. What can be your meaning by this deceitful dealing — Will you assist or will you not —

They answered they would not.

Then he told them he was much surprised they had so soon forgot the promise they made to our Governour when they took up the Hatchett in the presence of all the gentlemen that were sent by the Neighboring Governments to the Treaty What do you think they will say when they hear that you deny to assist us and them, they must certainly think you are Treacherous and deceitful People.

They gave no answer.

The Quota of men to be furnished by his Majesty's respective Plantations on the continent of America, towards the defense of the Frontiers of New York, in case they be Invaded by an Enemy.

[Copied from MS. "Corr." in Secretary's office, Vol. I, p. 231.]

Massachusetts Bay	350 men
New Hampshire	40
Rhode Island & Providence Plantation	48
Connecticut	120
New Yorke	200
East New Jersey	60
West New Jersey	60
Pennsylvania	80
Maryland	160
Virginia	240
	1358

[NOTE. The above paper has no date, but probably belongs to the period of the French & Indian war, 1746.—ED.]

At a Council & General Assembly holden at Portsm° according to adjournment on Wednesday Feby 19th 1745 —

Present

George Jaffrey Jotham Odiorne Henry Sherburne Theo. Atkinson	Esqs.	Saml Smith John Downing Saml Solley Sampson Sheaff	Esqs.

The Secretary read at the board Sund^y Petitions of Voluntiers and their widows & other relations praying the consideration of the Genl Assembly for the loss of friends, Time, arms &c. which were read & sent down to the House.

Mr. Jennes from the House bro't up an acc^t of Doctor March for medicine & attendance on Thos Tufts a voluntier in the service ag^st Louisbourg & vote of the House thereon allowing the sum of £2 : 8.

And alsoe a memorial to his Majesty setting forth the great charges this Government had been at on the affairs of the Expedition ag^st Louisbourg and a vote of the House thereon for forwarding the same to Mr. Agent Thomlinson to be Preferr'd which was read at the board & laid on the Table.

Adjourned till to morrow 10 o'clock A. M.

[P. 377.] Thursday Feby 20th 1745— Met according to adjournment.

Present [Councilors as before.]

Sund^y Petitions from the Voluntiers in the Expedition ag^st Louisbourg who return'd sick, &c. Praying the consideration of the General Court read at the board & sent down to the House.

Maj^r Davis from the House bro't up the following Muster rolls & votes thereon allowing the same to be paid, viz.

A muster Roll of John Mitchell for a Detachment of Troopers on the frontiers am° to . . . . . £3 : 3 : 1 1-2

Do. of Peter Patee for Do. on s^d service, am° to 2 : 17 (1)

Which votes of the House were concurr'd by the Council and assented to by the Governour.

Mr. MacMurphy from the House bro't up an acc^t of the Comittee for their charge & Expence in getting the £8000 for the Expedition ag^st Louisbourg imprinted, &c. and vote of the House thereon allowing the same which was read at the board & concurr'd and assented to by the Governour.

Mr. Wear from the House bro't up a vote for Placing (at the Publick Expence) the Snow shoes lately Purchased as a Province Stock in the care of the Coll^s of the several regiments within the Province — read & laid upon the Table.

(1) See this Muster Roll in Potter's Mil. Hist., in Adj. Gen. Report, Vol 2, 1866, p. 78.—Ed.

Mr. Levit from the House bro't up a vote for Paying to each officer & soldier their wives or attorneys as Parte of their wages the sum of five pounds which vote was concurred at ye board & assented to by the Govern^r.

[Adjourned.]

[P. 378.] Fryday, Feby 21, 1745 — Met according to adjournment.

Present his Excelency the Governour.

[Councilors as before.]

Mr. Jennes from the House bro't up the rec^t of the Treasurer to the Comittee for signing the thirteen thousand Pounds and a vote of the House thereon for discharging the s^d Comittee of the s^d sum which rec^d & vote was read at the board & concurr'd & assented to by the Governour.

Doctor Marches acc^t for attendance &c. on Thos Tufts as entred the 19th Inst. with the vote of the House thereon read & concurr'd & assented to by the Governour.

Mr. Sanbourne from the House bro't up an Act in adition to an Act Intituled an Act for the better Preservation & Increase of Deer within this Province as Passed in the House which was read at the board a first time.

And alsoe an Act for reviveing an Act in adition to an Act Intituled an Act for regulating the Militia as Passed in the House which was read a first time.

Adjourned till to morrow 10 o'clock A. M.

Saturday Feby 22^d, 1745 — Met according to adjournment.

Present his Excelency the Governour.

[P. 379.] [Councilors as before, except] Saml Solley, Esq.

Sund^y Petitions from Voluntiers on the Expedition ag^st Louisbourg Praying the consideration of the Genl Assembly &c. read at the board & send down to the House.

Capt. Tufton Mason's Memorial about a contract made with Messrs. Thomlinson Rindge, & others in behalf of this Government for the s^d Mason's right &c. read, recommended & sent down to the House by Mr. Sheaff.

Israel Gillman from the House bro't up an acc^o of Col. Meserve for sundry supply'd the Cartel Sloop Philip Read, comander bound to France with Prisoners & vote of the House thereon referring the same to the Comittee appointed for Transporting the s^d Prisoners &c. the allowance the s^d Comittee should make to be paid out of the Treasury — which was concurr'd by the Council and assented to by the Governour.

Mr. MacMurphy from the House bro't up a vote Desireing his

Excelency would cause to be Enlisted or Impressed Ten men in adition to those men now in the service to scout on the frontiers as his Excelency Pleases till the Rivers break up, which was read & concurred at the board & assented to by the Governour.

The Council took under consideration the vote about Snow Shoes as Entred the 20th Inst. and concurr'd the same and was after assented to by the Governour.

Adjourned by his Excelency's order till Monday next at 12 o'clock, A. M.

Monday Feby 24th 1745— Met according to adjournment.

[P. 380.] Present

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	John Downing Saml Solley	Esqs.

There not being a Quorum of the House His Excelency adjourned the General Assembly till to morrow 10 o'clock A. M.

Tuesday Feby 25, 1745—[Met, and for want of a Quorum adjourned.]

At a Council & General Assembly holden at Portsmo according to adjournment on Wednesday Feby 26th 1745—

Present His Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Saml Smith Jno Downing Saml Solley Sampson Sheaff	Esqs.

Mr. McMurphy from the House bro't up act for reviveing an act in adition to an Act against Trespassing on Town Comons as Passed in the House which was read a first time.

Mr. Wallingford from the House bro't up a Bill to be Passed into an Act Prescribing a method How Jurymen should be here- [P. 381.] after appointed which was read a first time at the board & laid on the Table.

The Petition of Elezr Bickford a voluntier in the Expedition against Louisbourg who return'd home sick Praying the consideration of the Genl *General* (1) read & sent down.

Adjourned till tomorrow 10 o'clock A. M.

(1) Assembly.—Ed.

Thursday Feby 27th 1745— Met according to adjournment.

Present [as before.]

A Message from the Council to the House by Messrs. Atkinson & Sheaff with the adresses to his Majesty as sent up & to acquaint the House with the Councils Objections to the s^{d} addresses as they stood and to Propose the appointing a Comittee to make the alterations.

Mr. Jennes from the House bro't up a vote for an allowance to Capt. John Fernald as Capt of the Province Guard sloop to make his wages equal to Captains of the like vessels in the Mass^{a} service which was concurr'd at the board and assented to by the Governour.

Major Davis from the House bro't up a vote for appointing a Comittee to joyn with a Comittee of Council to take the addresses that have been laid before the Assembly & make such alterations as may be tho't Proper & Lay the same before the Assembly as soon as Possible—The Council took the s^{d} vote under consideration & concurr'd the same and added Saml Solley & Sampson Sheaff to the Comittee on the Parte of the board.

[P. 382.] Adjourned till tomorrow 10 o'clock A. M.

Fryday Feby 28th 1745— Met according to adjournment.

Present [as before.]

Mr. Gidding from the House bro't up the Petition of Eliz^{a} Ham widow of William Ham a soldier at Cape Britton deceased there and a vote of the House thereon for an allowance of fifty shillings to the Petitioner which vote was concurred by the Council and assented to by the Governour.

The Aditional Act for the Preservation of Deer as entred the 21st Inst. read at the board a 2^{d} time and read again a third time and Passed to be Enacted by the Council to which his Excelency the Governour gave his assent.

And alsoe the Bill for reviveing the Militia Act as Entred the same day read again a 2^{d} & 3^{d} time & Passed in Council to be Enacted to which his Excelency the Govern^{r} alsoe gave his assent.

And alsoe the Bill for reviveing the Trespass Act as Entred the 26th inst read a third time & Passed to be Enacted by the Council and assented to by the Governour.

Major Davis from the House bro't up a vote for signing off £1000 of the blank bills now in the Treasury Box & Putting the [P. 383.] same into the hands of the Comittee for repairing his Majesty's Fort William & Mary & Prescribing a Fund for repaying the same, viz. the Interest of the £25000 Loan appropriated by Act for said use when the same shall be paid into the Treasury.

Which being read at the board was sent down to the House by

Messrs. Atkinson & Sheaff with the reasons why the board could not concur the s^d vote as it stood & to leave it with the House for an amendment.

Adjourned till tomorrow 10 o'clock A. M.

Saturday, March 1st 1745 — Met according to adjournment.

Present [as before.]

Capt. Chesley from the House bro't up a vote for Desireing the Capt. General to cause the Impressing or Inlisting 20 men to be posted at Fort Wm & Mary upon the usual Establishment for six months from the 25th of March which vote was concurred by the Council and assented to by the Governour.

Maj. Davis from the House bro't up an acc° of Mr. Recorder Pierce for books Paper &c. & vote of the House thereon allowing the sum of £11 : 17 to be paid in full which vote was concurred by the Council and assented to by the Governour.

Messrs. Wear & Sanburne from the House bro't up the address to his Majesty and a memorial & Petition to his Maj^ty in Council and a vote of the House thereon appointing a Comittee to joyn a Comittee of Council to write Mr. Agent Thomlinson & forward [P. 384.] the s^d Address & Memorial, which was concurred at the board & a Comittee added and assented to by the Governour.

The Governour asked the advice of the Council weither he should grant his Warr^t on the Treasury for the several allowances now due either by vote or Act to which the Council did advise & concent.

His Excelency sent the Secretary to the House to acquaint them that it was his will that the General Assembly of this Province should be Prorogued till Tuesday the Eighth Day of April next & according the Secretary Declared the s^d Court Prorogued.

Met again according to Prorogation & further Prorogued till the 22^d of April being Tuesday.

Province of New Hamp^r.

April 17th 1746.

His Excelency Issued a Proclamation further Proroguing the General Assembly of this Province to Tuesday the 6th day of May next at 10 o'clock in forenoon, to which Time the General Assembly stands accordingly Prorogued.

At a Council & General Assembly holden at Portsm° according to Prorogation on Tuesday the 6th of May 1746.

Present

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Richd Wibird Saml Smith John Downing Samp. Sheaff	Esqs.

[P. 385.] The Petition of Jons Gillman a Voluntier in the Expedition agst Louisbourg Praying for Sergs waiges he having acted in that Quality Dureing the Siege — read at the board & sent Down to the House.

The Petition of John Page Esq as agent of the Town of South Hampton Praying the aid of the General Assembly in relation to two highways in the sd Town read & sent down to the House.

His Excelency sent the Secretary to the House to require the attendance of the Speaker & the House at the Council Chamber who return'd that he had Done the message,— and accordingly the Speaker & House came up & were admitted — his Excelency made a Speech to both Houses as follows, viz:

Gentlemen of the Council and Assembly —

The Prorogations the General Assembly has been under makes it necessary for me to Press many things upon you which I am sorry you give me occasion to repeat as they so nearly concern the honour, interest & Dignity of the Government.

You are sensable that a Delay of Transmitting the Publick accts as his Majty comands must be injurious to me and Dishonorable to the Governmt, and it is now two years since I ought to have been furnished with those accts. So I hope they will be Imediately Examined that the Treasurer may be Enabled to give me copies thereof.

I have apprised you that it requires the aid of the General Assembly to [P. 386.] compleat the collections of the £15000 Loan that an End may be put to that fund and regular Discharges made to the Trustees.

It is his Majtys Express Comand to me That I effectually suppress the currency of all Emissions upon the Expiration of their Periods, therefore it concerns you with great care to Examine into the state of all funds of the old Tennour to see if there be either an Excess or a deficiency, That the currency of such Bills may be Determined.

Notwithstanding the Grant of 20 men for Fort Wm & Mary made by the Generall Assembly I have hitherto Imployed but Ten & unless the Pay is advanced men cannot be Inlisted for the service of that Garrison & to Impress two or three good men out of a regiment would be doing great Injustice to them at this season of the year, for which reason I shall expect you take the state of that Garrison under your consideration both with respect to men & officers that it may be made capable of defending our frontier by sea, which his Majty has bountifully Provided for & nothing will be more agreeable to me than for you to Prevent my Pressing upon you in future what so Imediately concerns your own safety and Defence.

Upon the Inhuman murthers & Captivity of his Majtys subjects in the Eastern frontiers of the Massachusetts government & on the Western frontiers of this Governmt I ordred a reinforcement of Ten men for Canterbury fort & Ten more for the Protection of Rochester.

[P. 387.] I have alsoe with the advise of his Majtys Council ordred a scout of fifty men for fourteen days under the comand of Capt. Goffe on Pemidgewasset Winnipisseoca & the great Carrying place in the adjacent country

hoping thereby to Intercept some of the Enemies scouts. Capt. Goffe I have ordered to make Canterbury his rendezvous on his march out & on his return and to give me a Particular acco. of every ocurrence in his march which shall be communicated to you from which you will judge of the number of men proper to be Employed for the defence of the Inland frontiers.

After the mischieff was done by the Indians at New Hopkinton the Inhabitants of Canterbury were in the utmost distress, for a great number of their Inhabitants were then in the woods which occasioned an alarm in that Quarter and being apprehensive the Enemy had besieged the Garrison I ordred a Detachment of Capt. Odlins & Capt. Hanson's Horse to march to their relief.

For want of a bridge on Suncook river both Detachments were obleiged to march more than double the Distance and as Canterbury is the only Magazine for Provision on our frontiers I hope you will think it worthy your consideration that a bridge be built there as soon as the waters will admit of it.

Upon the arival of the British troops at Louisbourg I expect the American forces will obtain Leave to come home for which reason I have with the advice of his Maj^{tys} Council Directed the Comittee to take up a sloop to accommodate that part of Col. Moore's regiment which remains there and the sloop has been Dispatched some Days which togeather with Capt. Martin I am hopeing will receive the whole of our men that are inclined to return.

When I rec^{d} his Maj^{tys} order in Council for supplying New Hamp^{r} [P. 388.] with such war like stores as was represented necessary for the Defence of the Province by sea & Land, it was his Majestys Pleasure to order that a sufficient Quantity of Powder should be sent with the Guns, Provided the agent would give security for Paying for the Powder within a year which order togeather with the agents Letter hath been laid before the General Assembly with several Messages from me Desireing that affair might have its due consideration, but as no notice was taken of either nor the agent wrote to on that subject, Mr. Thomlinson at the Expiration of the year was obliged to Pay the money the Powder amounted to and he now says it is his own property & has desired me in his letter of the 21st of December to Deliver 180 Barrels of Gun powder to Mr. Charles Apthorp of Boston or to Pay him the Sterling cost with Interest Insurance & charges, copies whereof the Secretary shall lay before you and as Mr. Apthorp's Letter requires an answer pr the Post I hope you will not delay coming to a speedy resolution on this matter.

In order to obtain his Maj^{tys} reimbursement of the Expence the Governm^{t} has been at in the reduction of Louisbourg it will be necessary that the respective Comittees Prepare their acc^{ts} that an Estimate may be made of the whole charge That a Comittee be appointed to write to your agent to solicit the Payment thereof, and in this & Every other concern of the Government, I desire that a Comitteee of both Houses to correspond with the Agent that I may have that burthen taken from me, for unless he had been acquainted by my Letters what Parte New Hampshire bore in the Expedition he would have known nothing of it from the Governm^{t}.

I must recomend to you the State of the Province with regard to the Warr and the Dispatch of the Publick affairs in which you shall have my concurrence.

B. Wentworth.

Council Chamber in
Portsmouth May 6th 1746.

The speaker Desired a copy of his Excelency's speech as above which was granted & Delivered by the Sec^{y}.

[P. 389.] The Secretary by his Excelency's order carryed Down to the House a Paragraph of Mr. Agent Thomlinson's Letter & a Letter from Mr. Charles Apthorp referred to in his Excelency's speech of this day & delivered the same to the Speaker as was alsoe a Letter from Capt. Goffe, Dated at Pennycook, May 5th 1746, giving an acc^{t} of the Indians killing 2 men &c.

[Copied from MS. Corr. in Secretary's office, Vol. I, pp. 289–295.]

His Majestys Province of New Hampshire to John Thomlinson of London

		Dr
1745.	180 barrels Gunpowder cost on board, 76*s.* 6*d.* pr barr[l]	£688: 10: 0
	£840 Insured on ditto at 15 Guineas pr. cent. policy & commiss[n]	136: 14: 6
		825: 4: 6
	Comission for shipping 2 1-2 pr. cent.	20: 12: 8
		845: 17: 2
	Besides 36*s* pr. barrell Old Ten. freight from London .	324:

His Majestys Province of New Hampshire to John Thomlinson of London

		Dr.
1746, May 12th.	180 Barrells Gunpowder, pr. Hammond, at £50 pr barrell	£9000:

Paragraph of Mr. Agent Thomlinsons Letter dated London, 21st December 1745.

"As for the Gunpowder that was sent pr. Capt. Hammond, I think the Province has used me very ill, for when I had obtained as many Guns &c. as cost five or six thousand pounds, on condition that I would pay for Gun Powder for those Guns, which is never allowed to any Colony, and now as I have been obliged to pay for it, you are immediately to deliver to my order the same quantity of one hundred and eighty barrels of Gunpowder and of equal quality or condition, or to pay me the sterling cost with Interest, insurance and charges, or to pay Mr. Charles Apthorp directly so much as it would have sold for at the time it came or since which by my account sales must be £7500 bills of old Tenor. You must do the one or the other."

John Thomlinson.

Letter from Mr. Apthorp.

Boston, 1st May 1746.

Sir—The Inclosed is from our Friend Mr. Thomlinson, who writes me he has desired you to deliver me 180 barr[s] of Powder, or to pay me directly what it would have sold for since Capt. Hammond's arrival, referring you to the Inclosed, I am with much respect,

Your Excellency's most humb[e] serv[t].

C. Apthorp.

His Excelency B. Wentworth, Esq.

Another Letter from Mr. Apthorp.

Boston, May 13, 1746.

Sir—According to y[r] desire by the Post I now Inclose two acc[ts] of the Powder, one for the ster[g] cost being £845: 17: 2*d* besides the Freit 324 currency, should the Governm[t] accept of that I doubt not they'l allow Mr. Thomlinson Interest till he is reimbursed.

The other is in this currency at 50£ pr. barr^{l} at wch rate, and higher, I could now sell any Quantity, but indeed, when Capt Hammond arrived it might have been bought under 50£ pr barr^{l} or something more, but as the money depreciates I think he should be allowed the price it now sells at, but if y^{o} are of another opinion I should abate what you should think reasonable being certain yon would act (& recommend the same to the assembly to do) what's handsome by our Friend.

I remain with great respect

y^{r} Exc^{ls} most hum^{e} serv^{t}

His Exc^{y} B. Wentworth, Esq. Cha. Apthorp.

[The following is the Letter from Capt. Goffe, copied from MS. "Corr." in Sec^{ys} office, Vol. 1, p. 297.]—Ed.

May. it please your Excellency

I got to Pennecook on Saturday erly in the morning and *and* notwithstanding I sent the monday after I left the bank(1) yet my bread was not but *but* there was about 250 wat Baked which supply 20 men which I sent to Canterbury as soon as I got here and I keept the Baker and several solders to baking all Sabath Day and purpused to march on monday as soon as possable but about midnight 2 men came Down from Contucook and Brought the unhappy news of 2 men being killed and the 2 men that came down told me that they saw the 2 men ly in there blood and one man moor that is missing and hereing I was here desiered me to Assist in making sarch so that I am with all Expedition a going up to Contucook and will do what I can to see the Enemy I shall take all possable care for the protection of the frontiers and *and* destruction of the Enemy the Indians are all about our frontiers I think there was never more need of soldiers than now it is Enough to make one's Blood boyl in ones veins to see our fellow creatures killed and taken upon every quarter and if we can not each them hear I hoop the General Cort will give Incorrigement to go and give them the same play at hom — the white man that is killed is one Thomas Cook and the other is Mr. Stevenses(2) the minsters negro these are found and one Jones a soldier is not found they having but five solders in the fort have not as yet sought much for him I a going with all possable Expedition and am your Excelency's most Humble and Dutifull subject and servant

John Goffe.

Pennecook about 2 of the clock
in the morning May 5th 1746.

A mess^{a} from the House by Messrs Wear & Gidding to acquaint his Excelency that he had a member that was not Quallifyed & to desire his Excelency would Direct to his being Quallifyed that so the House may proceed to business.

His Excelency sent the Secretary to the House to Enquire by what authority the s^{d} member was bro't into the House.

Coll. Wallingford from the House bro't up the Precept with the Sheriffs return thereon that James Clarkson Esq. was Ellected by the Town of Portsm^{o}. His Excelency sent Messrs Wibird & Smith to Quallify the s^{d} Clarkson who returned that he had taken the Oaths, &c.

Adjourned till tomorrow 10 o'clock A. M.

(1) Probably means Portsmouth.—Ed.

(2) Rev. Phineas Stevens, the first minister of Contoocook, now Boscawen, was ordained October 9, 1740, and died Jan. 19, 1755.

Wednesday May 7th 1746. Met according to adjournment.

Present [Councilors as before.]

Sundry Petitions of Voluntiers in the Expedition agt Louisbourg & from the Widows & relations of such as were Deceased Praying the consideration of the Genl Court read at the board & sent down.

The Secy went to the House with a Messa from the Govr & Council to Desire the House would send up the several Petitions from voluntiers at Louisbourg which were Entred before the Late Prorogation but not acted on.

[p. 390.] Mr. Chesley from the House bro't up the sd Petitions which were again read at the board & sent Down to the House by Mr. Downing.

Letter from Col. Samuel Moore.

[Copied from MS. "Corr." in Secretary's office, Vol. I, p. 289.]

Louisbourg, May 7th 1746.

May it Please your Excelency —

These waits on you by Mr. John Cotton who with Eleven others have leave to Return Home, a List of whose names are here Enclosed. I hope when Martyn returns from St Peters we shall have a good numbr return with him, so that the Abigail sloop will be sufficient to carry all of us off.

We are in Daily Expectation of News from England. Nothing from thence has yet arrived here.

A man of Warr Brigantine Capt. Colby and a sloop from hence is Bound up to the Island of St John to Demand their Delivery of that Island and their Persons according to Capitulation. Those that go on that Expedition are all Voluntiers. We begin almost to look out for Capt. Brooks's return here.

The garrison at this time (Blessed be God) is in good health.

Your Excelency's most
obt. Humble servt
Saml Moore.

Men dismissed the service & went Home in the Shirley Gally, Capt. Joseph Sherburne, Mastr

John Cotton Edward Sherburne	Capt. Sherburne's Company.
Jotham Ham Abr Center	Capt. Fellow's Company.
Noah Brotton John Atkinson	Capt. Flagg's Company.
Benja Tilton Joseph Prescutt James Lowell	Capt. Prescutt's Company.
David Lowell Benja Libbey Richd K. Waldron	Maj. Hale's Company.

Total 12.

Mr. Jennes from the House bro't up the Petition of Mr. John Page as Entred the 6th Inst. relateing to two high-ways in South Hampton & vote of the House thereon for notifying sundry Per-

sons concerned &c. which was read at the board & concurred and assented to by the Governour.

And alsoe a vote for the choice of a Comittee to Examine the Treasurers acc^{ts} & Tell the money to be burnt which was read & concurr'd & a Comittee added by the Council & assented to by the Governour.

Adjourned till to morrow 10 o'clock, A. M.

At a Council & General Assembly holden at Portsm^{o} according to adjournm^{t} on Thursday May 8th 1746.

Present his Excelency the Governour.

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Odiorne		Saml Smith	
Henry Sherburne		John Downing	
T. Atk'son		Samp. Sheaff	

Maj^{r} Davis from the House bro't up the following votes of the House, viz.

A vote directing How the Province stock of Snow-shoes should be preserved & Disposed of which was concurred by the Council and assented to by the Governour.

Alsoe a vote Desiering the Capt. Genl to order the Inlistment or Impressing 80 effective men to scout & guard the frontiers for four months in the Pay & Subsistance of this Governm^{t} which was alsoe concurr'd by the Council & assented to by the Governour.

Alsoe a vote for the Encouraging 50 voluntiers to be in the Pay & subsistance of the Governm^{t} & alsoe to receive a bounty upon scalps of the Indian Enemy taken by s^{d} Voluntiers which was concurred at the board and assented to by the Governour.

[P. 391.] Alsoe a vote for Paying a sum of money to Peter Meserve for nursing & Dieting French Prisoners from Cape Britton &c. which was concurr'd at the board and assented to by the Governour.

Mr. Wear from the House bro't up the following votes

A vote for the Payment of Jeremiah Clough's muster roll for 5 men (1) Post at the Garrison at Canterbury which was read at the Board & concurr'd & assented to by the Governour.

Alsoe a vote for Directing the Committee for managing the £25000 Loan to Lay the State of the s^{d} Loan before the House which was read & concurr'd and assented to by the Governour.

Alsoe a vote appointing a Comittee to Examine into all funds of the old Ten^{r} money & to report thereon which was read at the board & concurr'd and a Comittee added and assented to by the Governour.

(1) Names of abovesaid men: Jeremiah Clough, Capt. Francis Ayers, John Johnson, Morris Kevis or *Cavis*, Henry Erwin.—ED.

Mr. Jennes from the House . . . . . of Messrs. Sanburne & Chesley for sund^y Expenses & Time in Examining & approving the Prov: Snow Shoes &c. & vote of the House allowing the same which was concurr'd by the Council & assented to by the Governour.

Adjourned till to morrow 10 o'clock, A. M.

Fryday, May 9th 1746. Met according to adjournment.

Present [as before.]

Maj^r Davis from the House brought up a vote for the signing the sum of £500 for cutting a road to Canterbury & for making an act repaying the same out of the Interest of the £25000 Loan appropriated by act for that service.

And alsoe a vote for supplying Capt. Clough with half a barrel of Gunpowder for the use of the Garrison at Canterbury to be made use of only in Ext^r occasions which was concurr'd by the Council and assented to by the Governour.

[P. 392.] The Petition of Joseph Clifford of Kingston Executor to the Estate of his father Isaac Clifford Deceased who was at the time of his Decease a Constable of s^d Town — Praying to be Enabled to collect what is now standing in the Tax list comitted to him to collect which was read & sent Down to the House.

As was alsoe sundry Petitions from voluntiers in the Louisbourg Expedition Praying relieff of the Genl Court for sund^y Expences they had been at as in sickness &c.

Adjourned till to morrow 10 o'clock, A. M.

Saturday May the 10th. Met according to adjournment.

Present [as before.]

Mr. Wear from the House bro't up a vote for an additional allowance of 5*s* pr month to the officers & soldiers that shall be Imployed in the frontiers which vote was concurr'd at the board & assented to by the Governour.

Alsoe a vote requiring the several Comittees for the Expedition ag^st Louisbourg to lay their acc^ts before the General Assembly — which was concurr'd by the Council and assented to by the Governour.

The Petition of James Wood a Chirurgeon in the Expedition Praying an allowance for his Extraordinary services while at Cape Britton read & sent Down to the House by Coll. Downing.

Mr. Giddings from the House bro't up Two acc^ts of Doctor Ross for medicine & attendance, viz.

One on Benj^a Thomas a voluntier in the Expedition against

Louisbourg, and one other on Waymouth Ham another voluntier & votes of the House on each of them allowing the same which votes were concurr'd & assented to by the Governour.

[P. 393.] Alsoe an allowance to Richd Jennes Esq. for firewood for the General Assembly which vote was read at the board & concurr'd & assented to by the Governour.

Adjourned till Monday next at 10 o'clock, A. M.

Monday May the 12th. [Met and adjourned till tomorrow 10 o'clock, A. M.]

Tuesday, May 13th 1746. Met according to adjournment.

Present his Excelency the Governour,

and [Council as before.]

A Petition of Doctor Nathaniel Sargent for an allowance for his Extraordinary service as a Phisition & Chirurgeon in the Expedition ag^st Louisbourg read & sent down.

Mr. Wear from the House bro't up the following acc^ts & votes of allowance thereon, viz.

An acc^t of Doctor Clem^t Jackson for medicine & attendance to sund^y Voluntiers that return'd from Louisbourg sick & vote of the House thereon for an allowance which was read & concurr'd & assented to by the Governour.

Alsoe a vote on the acc^t of Doctor Robert Rogers for the same service to other voluntiers which vote was read at the board & concurr'd & assented to by the Governour.

[P. 394.] Alsoe an acc^t of Doctor Benj^a Row for same service to sund^y other Voluntiers and vote of the House thereon allowing the same which was read at the board & concurr'd & assented to by the Governour.

Alsoe two acc^ts of Doctor Odlin for same service on sund^y other voluntiers & vote of the House thereon allowing the same read at the board & concurr'd and assented to by the Governour.

Major Davis from the House bro't up three other acc^ts for sund^ys administered to voluntiers that Return'd from Louisbourg sick viz. from Doctor Sargent Doctor Odlin & Doctor Row & votes of the House on each of them which were all read at the board & concurr'd and assented to by the Govern^r.

The Petition of Abraham Morgan Praying some consideration for the care & charge he has been at in nursing his Brother John Morgan a voluntier in the Expedition ag^st Louisbourg who lay sick & Dyed at his the Petitioners House read at the board & sent Down to the House.

Adjourned till to morrow 12 o'clock.

Wednesday, May the 14th 1746. [Met and adjourned.]

Thursday, May the 15th 1746. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Richd Wibird John Downing Sampson Sheaff	Esqs.

[P. 395.] Mr. Wear from the House bro't up an acct of Doctor Nathl Sargent for medicine & attendance of sundy voluntiers who returned sick from Louisbourg & vote of the House thereon allowing the same which was read at the Board & concurr'd and assented to by the Governour.

Alsoe an acct of Joseph Moulton junr as an Express to Boston & vote of allowance thereon read at the board & concurr'd and assented to by the Governour.

Alsoe an acct of John Gage Esq. for Transporting Provisions (for Capt. Moultons Company) to Rochester &c. & vote of allowance thereon read at the board & Concurr'd & assented to by the Governour.

Alsoe an acct of Mrs. Mary Peacock for Lodging a French prisoner &c. and vote of the House thereon for an allowance read at the board & Concurr'd & assented to by the Governour.

Alsoe a vote of the House for Discharging the Comitte appointed this Sessions to tell over the money in the Treasury to be burnt of the sum of Twelve hundred fifty seven pounds twelve shillings & four pence old Tenr Part of the Province Tax for the year 1742 & alsoe of the sum of one hundred & thirty nine pounds Eighteen shillings parte of the £15000 Loan which sums were burnt to ashes in the sight of the Genl Assembly — which vote was read at the board & Concurr'd & assented to by the Governour.

Alsoe a vote desireing his Excelency to cause the Inlisting or Impressing four men to be posted at Capt. Cates' Garrison at Barrington which vote was read & concurred by the Council and assented to by the Governour.

The Petition of Doctor Peirce Praying he may receive his waiges as Chirrurgeon to the regiment at Louisbourg &c. read at the board & sent Down by Mr. Sheaff.

A Petition Ezekiel Pitman an officer in the Expedition agt Louisbourg Praying an allowance for his Extr service and recompence for loss of Time &c. occasioned by sickness since he came home read at the board & sent down to the House.

[P. 396.] Mr. Chesley from the House bro't up the muster roll of Capt. Thomas Bell for himself & soldiers at fort William & Mary between the thirteenth of November & 25th March last, &

vote of the House thereon allowing the same which was read at the board & concurr'd and assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

Fryday May 16th 1746. Met according to adjournment.

Present his Excelency the Governour

Jotham Odiorne	Esqs.	Richd Wibird	Esqs.
Henry Sherburne		John Downing	
Theode Atkinson		Sampson Sheaff	

Mr. Leavitt from the House bro't up the Treasurer's acct for the year 1743 & 1744 with the Comittees of auditt report thereon & a vote of the House accepting the same the ballance due to the Treasurer on the acct for the year 1743 being £104 : 2 : 1 3-4 & on the year 1744 the ballance Due to the Province being £536 : 6 : 5 Lawful money — Which vote was concurred by the Council and assented to by the Governour.

Mr. Macmurphy from the House bro't up a vote for an allowance to George Jaffrey Esq. as Treasurer for the sum of fifty Pounds for his Extra service in the affair of the Expedition agst Louisbourg.

And alsoe a vote for settling a salary on the Treasury for three years of Sixty pounds pr. annum, both which votes were laid on the Table for consideration.

Adjourned till tomorrow 10 o'clock A. M.

Saturday May 17th 1746. Met according to adjournment.

Present

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Ordiorne		John Downing	
Henry Sherburne		Sampson Sheaff	
Theod. Atkinson			

[P. 397.] Mr. Giddings from the House bro't up the following votes, viz. a vote for paying the Sterling money for 180 bbls Gunpowder and for building another Powder house.

And alsoe a vote for an allowance to Doctor Pierce for attendance & medicine to Wm. Canada a Prisoner to Eleazer Young a soldier which were read at the board & laid on the table.

Adjourned by his Excelencys order to Monday next at 12 o'clock At noon.

Monday May the 19th 1746. Met according to adjournment.

There not being a Quorum of the House the Council is adjourned till tomorrow 10 o'clock A. M.

Tuesday May 20th 1746. Met according to adjournment.

Present his Excelency the Governour

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Richd Wibird Saml Smith John Downing Sampson Sheaff	Esqs.

Capt. Chesley from the House bro't up an accl of Doctor Nicholas Wiggin for administration to Francis Mason a voluntier in the Expedition against Louisbourg & vote of the House thereon for allowance which was read at the board & concurred & assented to by the Governour.

The Council took under consideration the vote of the House for Printg such Laws as are General & tho't necessary, added Richd Wibird to the Comittee and concurred the same & it was assented to by the Governr.

[P. 398.] And alsoe an accl of Doctor Peirce for service in attending Wm. Canada a Prisoner & one Young a soldier & a vote of the House thereon allowing the same which vote was concurred at the board and assented to by the Governour.

A Messa from the Council to the House by Messrs Atkinson & Sheaffe with the Councils reasons for not Passing upon the vote for signing the sum of £500 for building a bridge over Suncook &c. as bro't up the 9th inst. and Prescribing another method for building the sd Bridge.

Mr. Jennes from the House bro't up a vote for building a bridge over Suncook river (at the charge of the Province) near the way that leads from Durham to Canterbury (1) and appointing a Comittee to agree for the same which was read at the board & concurred and assented to by the Governour.

The Council advised his Excelency to grant his Warrants on the Treasury for the Sundry allowances made this sessions.

Adjourned till tomorrow 10 o'clock A. M.

Wednesday May the 21, 1746. Met according to adjournment.

Present [as before, also] Saml Solley Esq.

Mr. Giddings from the House bro't up a vote for an allowance to Francis Tucker for his keeping French prisoners which vote was concurred by the Council & assented to by the Governour.

And alsoe a vote of allowance to James Jeffrey (as a former clerk to the Assembly) for service done of nine shillings in full which vote was concurr'd at the board and assented to by the Govr.

(1) The location of the first bridge built over Suncook river is not definitely ascertained. It is highly probable that it was at or near the place of the bridge now standing, which connects Allenstown and Pembroke, southeast of "Buck street," so called. That was the most direct route from Durham, through Nottingham and Deerfield, to Canterbury.—Ed.

[p. 399.] Alsoe a vote Impowering the Committee appointed to repair the fort Wm. & Mary if they think proper after they have done what is necessary to the s^d fort to lay out the remainder of the money appointed for the repairs of s^d fort by the £25000 act, in building a new Battery or Batterys.

The Council took under consideration the votes of the House of the 16th Inst. relateing to the Treasurer's allowance & non-concurred the same & sent a Mess^a to the House with their reasons for so doing.

Alsoe the vote relateing to paying for 180 bb^ls gun Powder sent by his Majestys order from the board of ordnance which vote was concurr'd at the Board.

Alsoe a vote of the 10th Inst Desireing his Excelency would order the Inlisting or Impressing 30 men to be Imployed in repairing the fort Wm & Mary which was read at the board & concurred & assented to by the Governour

Capt. Bell from the House bro't up the Muster roll of Capt. John Goffe for service Don on the frontiers & vote of the House thereon allowing £200 : 2 : 2 which vote was concurred by the Council & assented to by the Governour.

Mr. Gidding from the House bro't up a vote of allowance to Mr. Fitch & Mr. Shurtleff (1) of 50*s* each for their service in Praying with the assembly which vote was concurred by the Council & assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

Thursday May the 22^d 1746. Met according to adjournment.

Present [as before.]

[p. 400.] His Excelency sent the Secretary to the House with a written message relateing to the vote of the House of the 17th Instant relateing to the 180 bbls Gun Powder and alsoe sent a Letter he rec^d from Coll. Moore at Louisbourg.

Doctor March from the House bro't up the Treasurer's rec^t to the Comittee for signing the £6000 for Promoting the Expedition against Louisbourg & vote for a Discharge to the s^d comittee of the s^d sum which was read at the board & concurr'd & assented to by the Governour.

(1) Rev. JABEZ FITCH was pastor of the First or North Congregational church in Portsmouth. Graduated at Harvard College, 1794; was settled at Portsmouth, 1725; died Nov. 22, 1746, aged 73.

Rev. WILLIAM SHURTLEFF was pastor of the Second South Congregational church in Portsmouth; graduated at Harvard College, 1707; was installed Feb. 21, 1733; died May 9, 1747. "During his ministry in Portsmouth, he baptised more than seven hundred, and admitted one hundred and thirty communicants to the church." [*See Brewster's Ramb. p. 91.*]—ED.

Alsoe a vote of the House for the Keeper of the kees of the Prov. Box to receive all the blank sheets of money from the severall Comittees & alsoe tell over what is now in the box & make a report what number there are, which vote was concurred at the board and assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

Fryday May 23d 1746. Met according to adjournment.

Present [as before.]

Mr. Macmurphy from the House bro't up the Petition of John Goffe & vote of the House thereon making an allowance for carrying ammunition &c. & for his time in attending to get his muster roll allowed which vote was read at the board & concurred & assented to by the Governour.

The Petition of Danl Doe a voluntier in the Expedition agt Louisbourg Pray the consideration of the Assembly in relation to his sickness &c. read & send Down to the House.

[P. 401.] Coll. Wallingford from the House bro't up the acct of Doctor Adams for administration to Daniel Doe a voluntier in the Expedition against Louisbourg who returned sick & vote of the House thereon allowing 35*s* 6 which vote was concurred by the Council and assented to by the Governour.

Adjourned till tomorrow 9 o'clock A. M.

Saturday May the 24th 1746. Met according to adjournment.

Present his Excelency the Governour

George Jaffrey Jotham Odiorne Henry Sherburne Theodore Atkinson	Esqs.	Saml Smith John Downing Saml Solley Sampson Sheaff	Esqs.

Mr. Sanbourne from the House bro't up a vote for appointing a Comittee to appear at a Convention of Comissioners from each government on the Continent to consult Proper methods for Prosecuting the war against his Majtys enemies which was read at the board and ordred to be sent Down to the House for an alteration, viz. The appointment of the Comissioners being vested in the Crown the House could not without Invadeing the Prerogative choose the sd comissioners.

Letter from Gov. Shirley, relating to a Convention of Comissioners, &c.

[Copied from MS. "Corr." in Secretary's office, Vol. I, p. 263.]

Boston, May 12th 1746.

Sir —

As his Excellency Governour Clinton of New York has sent Circular Letters to the several Governmts on the Continent as far as Virginia to propose a Convention of Commissioners from each Government to consult upon measures for carrying on the War against the Common Enemy, and I find no other proof of this seasonable proposal so much for the Honour of his majesty's Government & the safety of his subjects, but the chearful ready compliance of this single Province (who have chosen Commissioners for this purpose) I think myself obliged in common humanity to my fellow subjects (who are daily suffering under this Bloody & Savage war) as well as in Duty to his Majesty to second these proposals of Mr. Clinton, with my earnest sollicitation that this affair may be once more seriously considered by the several Governments in all its Circumstances.

It is well known that such is the situation of the French in these Northern parts (where they have not one single port) and such the superiour strength of the English that by the ordinary blessing of providence upon our Vigorous Endeavors their Destruction would be inevitable; but if the places that are now free from any immediate Danger by the French and Indians on the land part will be Deaf to all the sollicitations from the Colonies that are most deeply affected with this War for succour in their Distressed State, in a short time the Enemy would in all probability depopulate such unhappy deserted provinces, and then those who now think themselves in security will feel the miseries of this Bloody war & too late repent of the neglect of their own Interest as well as their Disregard to their fellow subjects, and what is greatly to be Lamented in our present case, is that with all the advantages we have over our Enemies, yet for want of Union of Council among ourselves (which renders us contemptible in the eyes of the Indians) the French who are weak in themselves, but in the strictest combination with one another, and the Savages that dwell among or near them are like to bring the Six most powerful nations of Indians on the Continent, (which have hitherto from time immemorial been firmly attached to the English government) over into their Interest. In this Situation of our affairs we can have no prospect of any thing but misery and Disolation unless the several Governments will join in the firmest League against the Common Enemy & carry on the War with vigor and Resolution, and thus may we hope for the Blessing of Divine Providence to Render our Designs successfull, — I must therefore intreat your Excelency to lay this matter before your Assembly & to do all in your power to spirit them up to Resolutions becoming the character of Englishmen.

I am, with great regard, sir,

Your Excellencys most obedt humble servant

W. Shirley.

His Excelency Benning Wentworth, Esq.

This is a Circular Letter to wh I shall add by the Post next week.

Alsoe a vote for an allowance to Joseph Berry as an Express carrying Proclamations for Thanksgiving to the several Towns within this Government read at the board & concurred & assented to by the Governour.

Mr. Sanbourne from the House bro't up a vote for the Comittee for repairing the fort to get the Gun Carriages Painted &c. which was read & laid upon the Table.

Mr. Jennes from the House bro't up the Acco of Doctor Rogers

Deceas'd (prefer'd by his administrator) for Administration to sundry Voluntiers in the Louisbourg Expedition who returned home sick & vote of the House on the s^d acc^o allowing £28 : 0 : 11 1-4 which vote was concurr'd by the Council and assented to by the Governour.

[P. 402.] Major Davis from the House bro't up a vote for an allowance to Mr. Treasurer Jaffrey for services as Treasurer for the year 1745, and £10 for his extra services in furnishing the scouts &c. with Provisions &c. which was read at the board & Laid upon the Table for further consideration.

Mr. McMurphy from the House bro't up the muster roll of John Thompson a leader of a Scout in the frontiers and vote of the House thereon allowing the same which was read at the board & concurred and assented to by the Governour.

His Excelency asked the Council weither they would advise him to grant his Warr^t on the Treasury for the sundry allowances now Due by Act or vote to which they did advise & consent.

His Excelency Prorogued the General Assembly to the first day of July next then to meet at Portsm^o at 10 of the clock in the forenoon.

Province of New Hamp^r.

At a special Sessions of the Council & General Assembly held at Portsmouth (by Circular Sumons to each member of both Houses) on Tuesday, June 3, 1746.

Present his Excelency the Governour.

George Jaffrey	Esqs.	Richard Wibird	Esqs.
Jotham Odiorne		Saml Smith	
Henry Sherburne		John Downing	
T. Atkinson		Saml Solley	
		Sampson Sheaff	

His Excelency sent the Secretary to the House to acquaint the Speaker & House that what he was about to Communicate to them would he Imagined require at Present to be kept as a secret & [P. 403.] that he Desired the House & Officers might be Engaged to Secresy & that as soon as they had so Done he expected their attendance in the Council Chamber.

The Speaker & the House came up accordingly were admitted & his Excellency made a speech to both Houses and is as follows, viz.

[See this speech in "Journal of the House," p. 428.]

[P. 407.] Mr. Wear from the House bro't up a vote for appointing a Comittee to consider of the subject matter of his Excelencys speech which vote was read & concurr'd and a Comittee added on the Part of the Council and assented to by the Governour.

His Excelency asked the advice of the Council weither he

should upon this occasion Lay an Embargoe on all vessels now in the Port to which the Council gave their advice in the negative.

Adjourned till to morrow 10 o'clock, A. M.

Wednesday June 4th 1746. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jothm Odiorne		Saml Smith	
Henry Sherburne		John Downing	
Theod. Atkinson		Saml Solly	
		Sampson Sheaff	

The Comittee appointed the third Inst. for taking under consideration the subject matter of his Excelencys Speech of the same day relateing to an Expedition against Canada made their report thereon which was read & sent Down to the House.

Majr Davis & Jno Gage from the House bro't up an answer to his Excelencys speech of the third Inst. which was read at the board and is as follows, viz.

[p. 408.] Province of New Hampshire.

On a special Convention of the House of Representatives on Extraordinary affairs June 4th 1746.

Voted That the following be sent as an answer to his Excelency's speech of yesterday.

[See "Journal of the House," p. 430.]

Mr. Sanburne from the House bro't up the report of the Comittee as Entred this day with a vote of the House thereon for accepting the same unanimously,—which was again read at the board & concurred unanimously—and assented to by the Governour.

Adjourned till to morrow 10 o'clock A. M.

Report of abovesaid Committee.

[Copied from MS. "Govrs Messages" in Secretary's office, p. 381.]

4 June 1746. We whose names are underwritten, being appointed a Committee by the General Assembly, at a special Convention holden at Portsmouth the 3d day of June 1746, to take under consideration the subject matter of his Excelencys speech of this day to the said convention of both Houses relating to the Expedition against Canada and having taken the sd speech under consideration make our Report as follows, viz.

1st That his Excelly be desiered to enlist one hundred good effective men to serve in the sd Expedition or as many as can be got ready in season.

2dly In order to render the sd Levy the more Effectual that there be allowed to each Volunteir the same Bounty & Encouragement as shall be given to voluntiers raised in the Massachusetts Government for the sd Expedition, and that inasmuch as it will be utterly impossible to effect the affair without

an Emission of paper money, therefore that there be immediately struck off & signed the sum of sixty Thousand pounds and that necessary Comittees be appointed to transact and forward this affair.

Submitted

Thos. Wallingford
John Sanburn

Geo. Jaffrey
Theod. Atkinson
R. Wibird.

Province of New Hampshire.

At a special convention of the members of ye House of Representatives, June 4th 1746,

Voted — Unanimously that this Report be accepted with the following amendment of ye first article, viz. That his Excelency be desir'd to inlist as many men to serve in s^d Expedition as can be got ready to Imbark by ye last day of July next.

D. Pierce, Clk.

Eodem Die — In Council read & concurrd unanimously.

Theodore Atkinson, Sec^y

Eodem Die. Assented to

B. Wentworth.

Thursday the 5th of June, 1746. Met according to adjournment.

Present [as before.]

Mr. Gillman & Mr. Clarkson & Mr. Wear bro't up a vote of the House for emitting the sum of £60,000 for carrying on the Expedition against Canada & for choice of sundry Comittees to Transact the several matters & things that shall be necessary for carrying the same into Execution — alsoe for appointing a comissary and alsoe that the Blank sheets of money now in the Treasury Box be Imediately signed of as part of the s^d money & that the first thing at the next meeting of the Genl Assembly shall be to Pass our acc^ts accordingly. His Excelency sent the Secretary to the House to acquaint them that he had nothing further to Lay before them at Present & therefore they were dismist.

At a Council & General Assembly holden at Portsmouth according to Prorogation on Tuesday the first of July 1746.

[p. 410.] Present his Excelency the Governour.

George Jaffrey
Jotham Odiorne
Henry Sherburne
Theod. Atkinson
} Esqs.

John Downing
Saml Solley
} Esqs.

A message from His Excelency to the House by the Secretary to acquaint them that it was his Pleasure that the House attend at the Council Chamber.

Accordingly the House came up & his Excelency made a speech to Both Houses as follows, viz.

Gentlemen of the Council and Assembly

Since I communicated to the Gen[l] Assembly his Maj[tys] commands signifyed to me by his Grace the Duke of New Castle respecting the Expedition against Canada I have not had the Hon[r] of receiving any further Instructions relateing thereto. If any arrive during your sitting I shall Direct that they be laid before you.

I think it necessary to acquaint you that the recruiting officers for this Expedition who have received my beating orders have not had the success in raising men that I expected so that few or none will be able to raise a Compleat Company agreeable to the Kings Intentions — therefore I shall be glad if any other effectual measures could be tho't of for raising the number of men intended for the service of the Expedition in which you shall have my assistance.

I recomend to you that previous to any other Business the Transactions of the late Convention be ratified by acts or otherwise as the nature of the transactions may require and that if there should be any failure (which I hope will not be the case) in raising the full number of men it will be proper to shorten the sum proposed to be Emitted.

[P. 411.] It having been the Kings pleasure that both officers & men Employed in the Expedition should be on the British Establishment as to their Pay, cloathed armed & subsisted at his own Expence, it will be proper that a sum equal to the Expence & the number of men raised should be appropriated in the Treasury for his Maj[tys] use & to be repaid according to his Pleasure for which Sum I apprehend there need be no other fund — by which I would be understood that there need be no Tax on the Polls & Estates of the Inhabitants for repaying it, but that when his Maj[ty] shall be Pleased to Defray that Expence it shall be paid into the Treasury for the sinking all such part of s[d] sum as shall be expended in his service.

I have the Pleasure & satisfaction to acquaint you that the whole Troops Employed in the Expedition against Louisbourg and those that were ordred for re-inforcing that garrison after the reduction thereof to his Maj[ty] under the comand of Col. Moore that did not inlist are returned in safety.

Col. Moore has my orders to make up his muster Rolls and other acc[ts] that relate to the General Assembly in order to their being Discharged which shall be laid before you.

It has been represented to me that the Soldiers in the Pay of this Governm[t] in the late Expedition have not received a bounty equal to those in the Pay of the Mass[a] governm[t] which (if upon Inquiry you find it to be fact) I make no doubt but you will think just & reasonable they should now receive.

B. WENTWORTH.

Council Chamber in Portsm[o].
July 1, 1746.

Adjourned till to morrow 10 o'clock

Wednesday July 2[d] 1746. Met according to adjournment.

[P. 412.] Present

George Jaffrey, J. Odiorne, Henry Sherburne, Theod. Atkinson — Esqs.

Richard Wibird, John Downing, Sam[l] Solley — Esqs.

The Petition of the Inhabitants of the Town of Rochester Praying for soldiers, read and sent Down to the House.

Alsoe the Petition of George Thompson a Voluntier in the Expedition agst Louisbourg Praying relief &c. read & sent down by the Sec^{y}.

Adjourned till 10 o'clock tomorrow morning.

Thursday July 3^{d} 1746. Met according to adjournment.

Present His Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Richd Wibird John Downing Saml Solley	Esqs.

The Petition of Serg^{t} Ezekiel Worthen Voluntier in the Expedition against Louisbourg Praying that he may be Entitled to Captains Pay he having Done the Duty after his captains Death &c read & sent down to the House.

Mr. Giddings from the House bro't up the following Papers, viz.

A muster roll of Joseph Cass Leader of a scout at Canterbury in April & May last & vote of allowance thereon of £24 : 2 in full, which was concurr'd by the Council and assented to by the Governour.

Alsoe a muster roll of four men at the Same Place under the Direction of Capt. Clough amounting to £13 : 18 : 3, & vote of the House thereon allowing £6 : 8 : 7 1-2 of the s^{d} sum to be paid to the s^{d} Clough & £7 : 10 : 0 1-2 thereof to the s^{d} four men,—which was concurred by the Council and assented to by the Governour.

[P. 413.] Alsoe an acc^{t} of Doctor Scales for administration as a Phisitian to Nathaniel Lad a soldier at Canterbury an^{o} to 25*s* old Ten^{r} & vote of the House thereon allowing 6*s* 3*d* new Ten^{r} in full — read at the board & concurr'd & assented to by the Governour.

The Petition of Ebenez^{r} Spaulding & 3 others Inhabitants of the District of Litchfield setting forth that they were rated both in Litchfield & Londonderry & Praying to be exonerated from one of s^{d} Towns — read & sent down.

John McMurphy Esq. bro't up a vote of the House Desireing his Excelency would give orders for Inlisting or Impressing fifty good Effective men besides those already granted to be Imployed for three months in guarding the frontiers &c. which was read & concurr'd & assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

Fryday July the 4th 1746.

Present [as before.]

His Excelency Laid the answer of the House of representatives to his Excelencys speech of the first Inst. before the board which was read, as follows, viz.

The Assembly's Answer to the Governor's Speech of July 1, 1746.

May it please your Excelency,

Having Duely considered your Excelencys Speach at the opening the Present Session we take leave to make the following answer to the several Particulars therein comunicated.

[P. 414.] As to the recruiting officers who have had your Excelencys orders not meeting with so much success as was expected in raising men for the Expedition against Canada we think fit humbly to acquaint your Excelency that it appears to be a common & prevailing oppinion through the Province & seems likely to us that if there could have been any assurance given that the Troops raised here would had their field officers from amongst themselves and such as were agreeable and if Beating orders had been given to such Persons as had an Interest among the People & Encouragement of having the Imediate comand of the Companys so Inlisted by them we are of oppinion that a Considerable Number by this Time might have been raised & it is not unlikely but if this was still to be the case, it would be but a little while before a sufficient Number would offer themselves.

Your Excelency is pleased in the next place to recomend to us that previous to any other Business we ratify the Transactions of the late Convention &c. and as to this Particular we came togeather with no other resolution but Imediately to confirm what we then voted with such unanimity & so chearfully & readily agreed to. But in the vote we then made which the Secretary informed us your Excelency & the board had concurr'd with a Comissary or Comissaries was to be appointed by the General Assembly which your Excelency unknown to us has Excepted against, which is a point wherein we think ourselves obleidged to adheir to our vote & conceive should we do otherwise it would be likely to Discourage many from Enlisting & be a great hindrence to the Expedition, wherefore we pray your Excelency would be pleased to withdraw that Exception and let the vote stand as the Secretary Informed the members it was assented to by your Excelency, that agreeable to the vote we may Proceed to the ratification of the Proceedings of the convened members.

[P. 415.] And as what your Excelency mentions of the failure of raising the full number of men that was Proposed you may remember that they were limited to no certain Number but to be as many as can be got ready to Imbark by the Last of this month.

Your Excelency is Pleased further to Propose that a sum be appropriated in the Treasury equal to the Expence of the Expedition to be Drawn out according to his Majtys Pleasure &c. We shall be ready in this & in all other regards to make such Provision as will be most for his Majtys service & the good of his subjects.

We rejoice with your Excelency that the whole of the Troops imployed in the Expedition against Louisbourg under the Comand of Coll. Moore except those that Inlisted are safely return'd.

When the Collonel has made up his muster roll & other accounts as by your Excelency's orders is to be laid before us we shall do all that is Proper to be Don by us in that affair and if the soldiers in the Pay of this Government in the late Expedition have not in fact received a Bounty equall to those in the Pay of the Massachusetts we shall be ready to make it up.

Upon the whole as we have a deep sense of his Majtys Great Goodness to this & the other Provinces & Colonies in the Expedition on foot & of its vast Importance to the wellfare of his good subjects in those Partes of his Dominions

we shall not fail of Doing all that is in our Power to Promote it & Earnestly wish that in the whole of it we all concern'd may Injoy the conduct & blessing of Heaven & may be so happy as to see it eventually crowned with its desired success.

Province of New Hamp^r.

In the House of Representatives July 1, 1746.

Voted That the foregoing be sent to his Excelency as an answer to his Speach of the first Instant.

Eben^r Stevens, Speaker.

[P. 416.] His Excelency send the Secretary to the House to acquaint them that he Desired they would Proceed to the passing the money Bill for supply of the Treasury for the Expedition ag^st Canada.

Major Davis from the House bro't up a vote for Impressing the sum of sixty thousand Pound for Defraying the charge of the Canada Expedition &c. which was read.

Mr. Sanburne from the House bro't up a vote for allowing to Coll. Gillman & John Gage Esq. the sum of 4*s* old Ten^r pr Day instead of allowance to such men as should be in the service of the Governm^t in guarding the frontiers.

Mr. Giddings bro't up the Petition of Ebenezer Spaulding as Entred yesterday & votes of the House thereon ordring the constable of Londonderry to repay the sum if collected from the Petitioners & the selectmen to Discharge the constable therefrom, which vote was concurr'd by the Council and assented to by the Govern^r.

Adjourned till tomorrow 10 o'clock A. M.

Saturday July the 5th 1746. Met according to adjournment, [and by his Excelency's order.]

Adjourned to Monday next at 12 o'clock at noon.

[P. 417.] Monday July 7th 1746. Met according to adjournment.

Present his Excelency the Governour,

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Odiorne		John Downing	
Henry Sherburne		Saml Solley	
Theod. Atkinson		Sampson Sheaff	

Mr. Clarkson from the House to Enquire weither the Council had acted upon the House's vote for ratifying the vote of the Convention & for emitting £60000 &c. of Saturday last as sent up by Maj^r Davis.

His Maj$^{ty's}$ Council took under consideration the above s^{d} vote for ratifying the vote of the members at the Convention & for Emitting the sum of £60000 &c. & sent a Mess^{a} to the House thereon That the fund therein mentioned for repaying the same was Insufficient & left the s^{d} vote with the House for amendment.

And alsoe a vote for an allowance to Coll. Josiah Willard for subsisting 21 men formerly at fort Dumer which vote was concurr'd at the board.

Adjourned till to morrow 10 o'clock A. M.

Extracts from Admiral Warren and Governour Shirley's Letter, dated Boston July 4th, 1746.

[Copied from MS. Corr., in Secretary's office, Vol. I, p. 309.]

"We hope in particular that one Twenty Gun ship with 140 men, & one Sloop Brigg^{a} or Snow with 80 men & 10 carriage guns each, may be procured by you and we think that as it will be absolutely necessary that the Troops should be prepared to winter in the Enemy's country, Ten months provision should be got for them, and some salt put on board every Transport wch will be of service to cure what fresh stock may be had in Canada."

A true Copy examined pr

Theodore Atkinson, Sec^{y}.

"The securing the assistance of the six nations we esteem most essential to the success of the Expedition & necessary to be gained at any rate & we cannot but think that any reasonable bounty or Presents which shall be given them by your Excelency in case the Assembly should not act a proper part in this respect, will be approved of & answered by his Majesty. We have the Pleasure to inform your Excelency that Governour Gooch writes to Mr. Shirley that he will come with presents in his hands for this Purpose."

Copy of another Paragraph of the above letter
Attes^{d} pr

Theodore Atkinson, Sec^{y}.

Tuesday July 8th 1746. Met according to adjournment.

Present [as before, also] Saml Smith, Esq.

Maj^{r} Davis from the House bro't up again the vote of the [P. 418.] members at the Convention (which was sent to the House yesterday for an amendment) as amended in the House.

Mr. Sanburne from the House bro't up a vote for the payment of horse hire for an Express &c. to John Sherburne which was read at the board & concurred & assented to by the Governour.

And alsoe an allowance to Joseph Rollings & a number of men for carrying Provision to Canterbury which was read at the board & concurred.

His Excelency sent the Secretary to the House to acquaint them that he looked upon that Parte of their vote of the 4th In-

stant that related to the appointment of a Comissary &c to be an Invasion of his Maj^{ty} Prerogative which appointment his Majesty has solely vested in him and that if the House don't withdraw that clause he must be Drove to a necessity of consenting to the Bill as it stands or Defeat the Part his Maj^{ty} Proposes this Province should bear in the Expedition, therefore he hopes the House will withdraw that clause otherwise they must stand answerable for the consequences thereof which message was accordingly Delivered.

Mr. Sherburne & Sanburn from the House returned the following answer to the above message, that the House were apprehensive their giving up the Point would be a great Discouragement to the voluntiers & therefore Prayed his Excelency would get over it.

His Excelency sent a Mess^{a} to the House by Mr. Solley to Desire the House would let him have a positive answer weither they would withdraw that article or not.

A mess^{a} from the House by Messrs Giddings & Gillman to acquaint his Excelency that the House could by no means give up the point of appointing a Comissary, & therefore unanimously adhiered to the vote sent up.

[P. 419.] Mr. Memurphy from the House bro't up a muster Roll of Capt. Dudley Odlin for himself & sundry of his Troop for service in going to the relieff of Canterbury & vote of the House thereon allowing £17 : 15 which vote was concurred by the Council and assented to by the Governour.

Alsoe a muster roll of Capt. Joseph Hanson for himself & sundry Troopers under him for the s^{d} service & vote of the House thereon allowing the same which was read at the Board & concurred & assented to by the Governour.

Alsoe a vote for allowing the acc^{t} of Sarah Priest for Council's & Assemblys Chambers in her house which was read at the board & concurred and assented to by the Governour.

Mr. Memurphy from the House bro't up the muster roll of Jeremiah Clough & 19 men (1) scouting on the frontiers about Canterbury &c. & vote of the House thereon which was read & concurred & assented to by the Governour.

And alsoe a muster roll of Saml Bar & others scouting the frontiers & a vote of the House thereon which was read & concurred and assented to by the Governour.

Coll. Wallingford from the House bro't up two muster rolls of Benj^{a} Mathews a Leader of a scout for himself & company & vote of the House thereon read & concurred & assented to by the Governour.

(1) See said Muster Roll in "Potter's Mil. Hist., Adj. Gen. Report," Vol. II, p. 97, 1866.—Ed.

Alsoe a muster roll of John Gregg scouting the frontiers & vote of the House thereon for allowing the same which was read & concurred & assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

[P. 420.] Wednesday July 9th 1746. Met according to adjournment.

Present [as before.]

Maj^r Davis from the House bro't up a vote for an allowance to Peter Gilman & John Gage Esqs. of 4*s* pr Day for furnishing each man in the scouts on the frontiers with Provision which was read at the board & concurred and assented to by the Governour.

Capt. Israel Gillman from the House bro't up a vote for the encouragement of 30 or 50 voluntiers to be subsisted by the Province and to receive a bounty upon scalps &c. which was read at the board & concurred with an amendment & sent down to the House for concurrence and bro't up again by Mr. Giddings & vote of concurrence thereon with the s^d amendment which was read at the board & concurred and assented to by the Governour.

Mr. Sandburn from the House bro't up a vote for appointing Mr. Daniel Peirce recorder of Deeds &c.

Adjourned till tomorrow 10 o'clock, A. M.

Thursday July 10th 1746. Met according to adjournment.

[P. 421.] Present [as before.]

Mr. Memurphy from the House bro't up a vote requiring the several Towns lately Incorporated into Townships out of the Districts to bring in an Inventory of their Estates in order to their being regularly Taxed to the Province rate & which was read at the board a first time.

The Comittee appointed for Drawing an Act for Emitting money &c. for carrying on the Expedition ag^st Canada bro't in & Presented a Draft of the s^d Act to this board.

Adjourned till tomorrow 10 o'clock A. M.

Fryday July 11, 1746. Met according to adjournment.

Present [as before.]

Major Davis from the House brought up a vote for an allowance to the Secretary for service in the Past to the 25th of March last Past which was read at the board & concurred & assented to by the Governour.

Mr. Sanburn bro't up from the House Two votes one for service Done by Mr. Packer as sherriff & the other for an allowance to the s^d^ Mr. Packer for house hire & fire wood &c. for the Courts both which were read at the board & concurred and assented to by the Governour.

[P. 422.] His Excelency Proposed to the Council the Laying for an Embargoe on all vessells now in Port Except such as are cleared out at the offices not fit for the Expedition against Canada as Transports & fishermen to which the Council did advise.

The act for reviveing the District Act read a second time.

Adjourned till tomorrow 10 o'clock A. M.

Saturday July 12th 1746. Met according to adjournment.

Present [as before.]

Capt. Israel Gillman bro't up a vote for choice of Mr. Saml Penhallow as Comissary to take the care & Deliver the Provisions & stores &c. to the Canada soldiers which was read at the board & concurr'd & assented to by the Governour.

Mr. Sanburn from the House bro't up a Bill for regulating appeals &c. as Bro't into the House which was read a first time.

Mr. Macmurphy & 2 other members from the House bro't up a Bill for Emitting the sum of sixty thousand Pound for carrying on an Expedition ag^st^ Canada which was read three times at the Council board & Passed to be Enacted.

Mr. Macmurphy from the House bro't up a vote of allowance to Mr. Recorder Peirce for a book for records which was read at the board & concurred and assented to by the Governour.

Adjourned by his Excelencys order to Monday the 28th Day of July Instant 1746.

[P. 423.] Monday July 28, 1746. Met according to adjournment—[and] adjourned till tomorrow 10 o'clock.

At a Council & General Assembly holden at Portsmouth according to adjournment on Tuesday July 29, 1746.

Present

George Jaffrey Jotham Odiorne Henry Sherburne Theodore Atkinson	Esqs.	Richd Wibird Saml Smith John Downing Saml Solley Sampson Sheaffe	Esqs.

The Petition of Willm Prescott a voluntier in the Expedition against Louisbourg Praying for a Pension he having Lost one Leg while in the service there read & sent down to the House.

Mr. John Sanburne bro't up a vote for an allowance to Benj^a Acreman as Door keeper to the 25th of March last which was read & concurred and assented to by the Governour.

Mr. Jennes from the House bro't up Two Capts. muster rolls for the men under their comand at Louisbourg, viz. one of Capt. Joseph Sherburne & the other of Capt. McGregore which was read & Delivered to the Comittee for muster rolls.

Adjourned till tomorrow 10 o'clock A. M.

Wednesday July 30th 1746. Met according to adjournment.

[P. 424.] Present [Councilors as before.]

Mr. Sanburne from the House bro't up a resolve (of the House of this Day) forthwith to comply with the agreement made between John Thomlinson, Esq. & Capt. John Tufton Mason concerning the right the s^d Mason claims to this Province &c.

And alsoe a vote for the choice of a Comittee agreeable to the above s^d vote to Treat with the s^d Mason about fulfilling the s^d agreem^t.

In Council

Voted That Saml Solley & Sampson Sheaffe Esq. be appointed a Comittee from the Council to Examine such muster rolls as shall be exhibited this sessions and make a report to this board thereon.

The Petition of Joseph Lampson in behalf of his brother Nathl Lampson a voluntier at Louisbourg &c. for an allowance of the Doctors charge, he returning home sick, read & sent down.

The Petition of John Griffith a voluntier in the Louisbourg Expedition Praying for a further allowance of waiges &c. read & sent Down to the House.

Adjourned till tomorrow 10 o'clock A. M.

Thursday July 31, 1746. Met according to adjournment.

Present [Councilors as before.]

[P. 425.] Mr. Giddings from the House to Enquire weither the resolve & vote of the House of yesterday relateing to Capt. Masons claim were acted upon.

The Council took the s^d resolve & vote under consideration & came to the following resolve, viz. That they are willing to joyn in a Comittee to Treat with Mr. Mason & to make good the agreem^t made between Mr. Thomlinson & Mr. Mason, but they apprehend that s^d resolve of the House is not agreeable to the s^d agreement Particularly in the last clause mentioning that the Waste be granted by the General Assembly which s^d resolve was sent Down by Atkinson, Solley & Sheaffe Esqs.

NOTE BY THE EDITOR.

[The following is a copy of the "AGREEMENT" referred to. It was made from the original agreement, now in the hands of Col. J. W. Pierce, Esq., of Portsmouth, who has in his care the records and files of the Masonian Proprietors. The original is written on parchment and is somewhat defaced. The copy which follows was made and generously presented to the editor by Col. Pierce. It has been carefully compared with the original and so far as legible may be relied on as correct. The Editor is not aware that the agreement was ever before published:]

[6 Pence] [6 Pence] 6 Pence]

ARTICLES of Agreement Tripartite indented made concluded & agreed upon the sixth day of April in the twelfth year of the reign of our Sovereign Lord George the Second by the Grace of God of Great Britain France & Ireland King Defender of the faith & so forth & in the year of our Lord one thousand seven hundred & thirty nine Between John Tufton Mason of Boston in New England but at present of & residing in London in the Kingdom of Great Britain Gentleman of the first part John Rindge Theodore Atkinson Andrew Wiggin George Jeffrey Benning Wentworth of the Province of New Hampshire in New England Esquires of the second part & John Thomlinson of London Merchant of the third part.

Whereas the said John Tufton Mason allegeth that he is & claims to be the eldest son & heir at Law of John Tufton Mason deceased the eldest son & Heir of Robert Tufton Mason deceased the Brother & Heir of John Tufton deceased the eldest son & Heir of Robert Tufton Mason deceased one of the Grandsons of Captain John Mason heretofore of London Esquire deceased & the Deviser in remainder named & appointed in the Will of the said Captain John Mason on the decease of John Tufton Mason the other Grandson of the said Captain John Mason & elder Brother of the said last mentioned John Tufton Mason without Issue both children of Ann the only daughter of the said Captain John Mason by John Tufton Esquire by . . . . husband And Whereas the said John Tufton Mason party hereto in the right aforesaid allegeth that he is . . . . . to be well entitled by or under by some or several letters patent from the Crown of Great Britain some or several grants from the Patentees or otherways to a certain grant of Land in New England called New Hampshire lying upon the sea coast between . . . . . attaqua and running up into the land westward . . . . . all the Islands . . . lying within five Leagues distance of any part thereof also the . . . . . the Isles of Shooles or . . . . . part of the said premises . . . . . of land sold disposed or conveyed away by any of the other . . . . . of him the said John Tufton Mason And Whereas the Government of the said Province of New Hampshire by virtue of some Grant or Grants from the Crown or otherways & the said John Rindge Theodore Atkinson Andrew Wiggin George Jeffreys & Benning Wentworth partys hereto & several other persons Inhabitants of the said Province by virtue of some Grants or conveyances from the said Government of New Hampshire or otherways have acquired or claim to have a right to sundry large Tracts of land within the said Province they the said John Rindge Theodore Atkinson Andrew Wiggin George Jefferys & Benning Wentworth & also sundry such other persons Inhabitants of the said Province have at a very great expense cleared built & made settlements upon the lands in their respective occupations Now these presents witness that for the quieting the Government of the said Province & the said John Rindge Theodore Atkinson Andrew Wiggin George Jeffreys & Benning Wentworth & the other Inhabitants of & so settled in the said Province in the possession of the several Lands & premises of which they by themselves or their servants are now possessed for confirming their respective Rights therein & for & in consideration of the sum of seven pounds seven shillings of lawful money of Great Britain to the said John Tufton Mason in hand paid by the said John Thomlinson party hereto as agent for the said John Rindge Theo-

dore Atkinson Andrew Wiggin George Jeffreys & Benning Wentworth the other party hereto the receipt whereof the said John Tufton Mason doth hereby acknowledge & also for & in consideration of the sum of One Thousand Pounds current money of the said Province of New Hampshire to be paid to him the said John Tufton Mason by the said John Rindge Theodore Atkinson Andrew Wiggin George Jeffreys & Benning Wentworth or the Government of the said Province or as herein after mentioned he the said John Tufton Mason hath covenanted promised & agreed & hereby Doth for himself his heirs Executors & Administrators covenant promise & agree to & with the said John Rindge Theodore Atkinson Andrew Wiggin George Jeffreys & Benning Wentworth their Heirs & Assigns in manner & form following that is to say that in case the Government of the said Province of New Hampshire however named or distinguished or the said John Rindge Theodore Atkinson Andrew Wiggin George Jeffreys & Benning Wentworth their Heirs or Assigns or any or either of them within Twelve Calender Months after the said Province of New Hampshire shall be confirmed declared or made to be a distinct & seperate Government from the Province of the Massachusetts Bay do & shall well & truly pay or cause to be paid unto the said John Tufton Mason his Heirs or assigns the sum of One Thousand Pounds current money of the said Province that then & in such case he the said John Tufton Mason his Heirs or Assigns at the cost & charges in the Law of the party or partys requiring the same & in due form of Law as shall be required by the counsel learned in the Law of such party or partys shall & will well & sufficiently release or otherwise convey unto the Government of the said Province by such . . . . . thought proper or advised unto the said John Rindge Theodore Atkinson Andrew Wiggin George Jeffreys & Benning Wentworth their Heirs & Assigns & unto such other person & persons his & their heirs & Assigns as shall then be in possession of any Land Tenements & Hereditaments within the said Province by or under Title derived from or under the Government of the said Province or any person or persons in Trust for the said Government till the Estate right, title Interest property benefit claim & demand whatsoever both in Law & Equity of him the said John Tufton Mason his heirs & Assigns in to or out of all & singular the Lands tenements & hereditaments situate within the said Province of New Hampshire of which the government of the said Province by whatsoever name distinguished or any other person or persons in Trust for the . . . . . Government or of which the said John Rindge Theodore Atkinson Andrew Wiggin George Jeffreys & Benning Wentworth their heirs or Assigns or of whatsoever . . . . . person or persons under title derived from or under or in Trust for the Government of the said Province shall severally & respectively be by themselves or their Tenants possessed Provided always & subject nevertheless to a Condition that in all & every future Grants that shall be made from & after the payment of the said sum of One Thousand Pounds of any waste Lands not heretofore granted or allotted to any person or persons there be always granted & allowed unto the said John Tufton Mason his heirs & Assigns a lot of Land equal in proportion to any other party or parties to or amongst whom such Grant or Allotment shall be made or given And the said John Tufton Mason doth hereby for himself his heirs Executors & Administrators further covenant promise & agree to & with the said John Rindge Theodore Atkinson Andrew Wiggin George Jeffreys & Benning Wentworth their heirs & Assigns that he the said John Tufton Mason & his heirs & all & every other person or persons lawfully claiming or to claim by from or under him the said John Tufton Mason or his Heirs any Estate Right Title or Interest in to or out of the premises hereby agreed to be released and conveyed shall & will at all or any time hereafter at the cost & charges in the Law of party or partys requiring the same make do & . . . . . all & every such further Acts Deeds matters & things for the further & better establishing & confirming the Agreement hereby made as by the Counsel learned in the Law of such party or partys shall be in that behalf reasonably advised or required.

In Witness whereof the partys first above named have to these present Indentures interchangeably set their hands & seals the day & year first above written.

John Tufton [Seal] Mason.

(Indorsed)

Sealed & delivered in the presence of } being first duly stamped

Wm Richardson
Edwd Mountague

Dated the 6th Day of April.

Mr. John Tufton Mason
&
John Rindge Theodore Atkinson
& Others Esqs } Articles

A true copy from the original

J. W. Pierce,
Clerk Masonian Proprietors.

Portsmouth Aug. 29th 1870.

The Petition of Saml Blak Praying the consideration of the General Assembly on acct of a son who return'd sick from Louisbourg &c. read & sent down to the House.

Mr. Sanbourne from the House bro't up the Petition of Doctor Pierce & his acct annexed as Chirurgeon to the New Hampr regiment at Louisbourg & an allowance thereon which was read and laid upon the table.

Alsoe the Petition of Doctor Sargent for his waiges in the same Imployment & vote of allowance thereon read & concurr'd & assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

Fryday the first of August 1746. Met according to adjournment.

Present his Excelency the Governour.

[Councilors as before.]

Mr. Israel Gillman from the House bro't up a vote of the House for appointing a Comittee to joyn with a Comittee of Council to consider the Properest & best method for the Province to proceed [P. 426.] in concerning Masons right and make imediate report to the General Assembly which vote was concurr'd at the board and a Comittee added and assented to by the Governour.

Mr. Wear from the House bro't up the Petition of Doctor James Wood for an allowance for extra service while in the Expedition agst Louisbourg & vote of the House for an allowance thereon which was read at this Board & concurr'd & assented to by the Governour.

Alsoe the Petition of Doctor Robert Gillman Praying for smart money &c. for a wound recd in his Legg while at the siege which was read at the board & concurr'd and assented to by the Governour.

Alsoe a vote for the choice of a Comittee to make up the muster rolls of the soldiers in the s^d^ Expedition & certify the same to the Treasurer & thereupon to be Paid off which was read at the board & concurr'd & assented to by the Governour.

Alsoe a vote for establishing a Table of fees fines &c. for one year from the Date which was read at the board & concurr'd and assented to by the Governour.

The Comittee appointed this day to consult about Mason's affairs &c. made their report which was read at the board & sent down to the House.

Mr. Wear from the House bro't up the above s^d^ report & vote of the House thereon for accepting the same.

Adjourned till tomorrow 10 o'clock A. M.

Report of the Committee of the House to treat with the Purchasers of Capt. Mason's right.

[Copied from MS. "Corr." Vol. I, p. 265.]

Portsm^o^. Aug^st^ 12th 1746.

The members of the House of Representatives who were of the Comittee appointed by the Genl Assembly ye 2^d^ of August to treat with the claimers under Mason &c. Report to the Honble House as follows, viz.

That on ye 4th of Aug^st^ inst. six of the Comittee met with the claimers who were as follows, viz.

The Honble Theod. Atkinson, Esq. three fifteenths.
Mark Hunking Wentworth Esq. two fifteenths.
The Honble Richd Wibird Esq.
Mr. John Wentworth, jun.
Mr. George Jaffrey, jun.
Col. Saml Moor, Esq.
Col. Nathl Misharvay Esq.
Thomas Packer, Esq.
Thomas Wallingford, Esq.
Jotham Odiorne, jun. Esq.
Joshua Pierce, Esq.
John Moffat, Esq.

And informed them of the power Invested in the Comittee by the General Assembly and after some time spent in conference on the affair the Question was put to the s^d^ claimers whether they would sell on the Terms proposed by the General Assembly, viz. for the same sum they gave & charges — to w^h^ they did not all agree but soon after broke up & left the Com^tee^.

Hen. Sherburne jun.
Peter Gilman.

Saturday August 2^d^ 1746. Met according to adjournment.

Present [as before.]

[P. 427.] The Petition of John Lad praying some allowance for the charge he hath been at for his Son while sick & his funeral

charge he being a voluntier at Louisbourg & coming home sick from thence which was read & sent down to the House.

The vote of the House of yesterday for accepting the report of the Comittee appointed yesterday about Mason's claim was read & accepted by the Council.

The vote of the House of the 29th of July bro't up by Mr. Wear for allowing three months Pay to each voluntier that Died at Louisbourg Last winter Provided the 3 months do not exceed the Expiration of the muster rolls & that the rolls be made up accordingly which vote was concurr'd by the Council and assented to by the Governour.

The Petition of Doctor Pierce & vote thereon as Entred the 31 July last read again & concurred and assented to by the Governour.

Adjourned by his Excelency's order to Monday the 11th inst. at 12 o'clock noon.

At a Council & General Assembly holden at Portsm° according to adjournment Monday August the 11th 1746.

Present his Excelency the Governour

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Odiorne		John Downing	
Henry Sherburne		Saml Solley	
		Samp. Sheaff	

Richd Wibird Esq. by his Excelencys Directions appointed to act as Secretary, the Secretary Mr. Atkinson being on the Province Service at Boston.

The Petition of Stephen Ames & others Inhabitants of the Town of Hollis respecting the settlemt of a meeting house read & sent down to the House by Mr. Sheaffe.

Adjourn'd till to morrow, 10 o'clock.

[P. 428.] Tuesday August 12th 1746. Met according to adjournment.

Present

George Jaffrey	Esqs.	Saml Smith	Esqs.
Jotham Odiorne		John Downing	
Henry Sherburne		Saml Solley	
Richd Wibird		Samp. Sheaffe	

The memorial of Thomas Card in the Louisburg Expedition Praying an allowance for sickness &c read & sent down to the House by Sampson Sheaffe Esq.

Adjourned till tomorrow 10 o'clock A. M.

Wednesday August the 13th 1746. Met according to adjournment.

Present [as before.]

The Petition of Caleb Sanburn in behalf of his servant Praying an allowance for sickness Doctors bills &c. he returning from Louisbourg sick read & sent down to the House by Saml Smith, Esq.

Capt. Bell from the House bro't up the acct of Doctor John Weeks acct for Saml Kenniston with the Houses vote thereon for allowance.

Alsoe the Memorial of Major Thomas Davis with the House's vote of allowance therewith for eight Pounds 15*s* in full of his Doctors Bill when wounded.

Capt. Israel Gillman from the House bro't up Sundy Petitions from sundry Voluntiers in the Louisbourg Expedition with the House's vote of allowance *und'r* a List of each persons name.

[p. 429.] Alsoe an allowance of Doctor Abraham Green's acct for administration to sick voluntiers.

Mr. John Sanburne from the House bro't up a vote for the choice of a Comittee to view the Defects of the Province Prison & get the same repair'd — which was read at the board & concurr'd and assented to by the Governour.

The memorial of George Thompson a Louisbourg Voluntier Praying for an allowance for Loss of his gun lost at the attack of the Island Battery read at the board & sent Down to the House.

Mr. John Sanburne from the House bro't up an answer to his Excelencys message which was delivered to his Excelency.

[See this answer in "Journal of the House, p. 452."]

His Excelency adjourned the General Assembly to Tuesday the 19th of this Instant at 10 o'clock A. M.

Tuesday the 19th of August 1746. Met according to adjournment [and] Adjourned till to morrow, 10 o'clock, A. M.

Wednesday the 20th of August 1746. Met according to adjournment.

Present

George Jaffrey	Esqs.	Saml Smith	Esqs.
Jotham Odiorne		John Downing	
Henry Sherburne		Samp. Sheaffe	
Richd Wibird			

The Petition of George Craiton Praying an allowance of Sergeant waiges while at Louisbourg read & sent down to the House.

[P. 430.] The Petition of Daniel Bean a voluntier in the Louisbourg Expedition Praying for an allowance of sickness Doctors Bill &c. was read at the board & sent down.

Mr. John Sanburne bro't up a vote of allowance to Capt. Edward Brooks Comander of an armed vessell in the Expedition agst Louisbourg of £3 : 12, which was read at the board & concurr'd.

Adjourned till tomorrow at 10 o'clock A. M.

Thursday August 21, 1746. Met according to adjournment.

Present his Excelency the Governour.

[Councilors as before, and] Theod. Atkinson, Esq.

Mr. Jennes from the House bro't up a Petition of Danl Bean as Entred the 20th Inst. & vote of the House thereon for an allowance which vote was read at the board & concurr'd & assented to by the Governour.

The Council took under consideration the following Petitions & votes, viz.

The Petition of Caleb Sanburne as Entred the 12th Inst. & vote of allowance thereon which was read at the Board & concurr'd and assented to by the Governour.

Alsoe an acc^{t} of Doctor Abraham Green as Entred ye 13th Inst. & vote of the House thereon which was read & concurr'd and assented to by the Governour.

Alsoe an acc^{t} & vote of Doctor John Weeks & vote of the House thereon (as Entred the 13th Inst) which was read at the board & concurr'd and assented to by the Governour.

Major Davis bro't up from the House *brot up* a vote of allowance to George Craiton of 25*s* pr month for 9 months and 11 days [P. 431.] which was read & concurred at the board and assented to by the Governonr.

Adjourned till tomorrow 10 o'clock A. M.

Fryday the 22^{d} of August, 1746. Met according to adjournment.

Present [as before.]

Major Davis from the House bro't up the following Muster rolls, viz.

A muster roll of Benj^{a} Philbrook & 15 men scouting *scouting* at Nottingham & vote of the House thereon for Payment which was read at the board & concurred and assented to by the Governour.

A muster roll of James Young & 15 men scouting at the same

Place & vote for paying the same read at the board & concurr'd and assented to by the Governour.

A muster Roll of Moses Barrett & 24 men scouting at Canterbury & vote of allowance thereon read at the board & concurr'd and assented to by the Governour.

A muster roll of Capt. Andrew Todd & 23 men scouting at the same place (1) & vote of allowance thereon read & concurr'd at the board & assented to by the Governour.

Alsoe the Petition of John Eyre Praying for a further allowance &c. as adjutant in the Expedition agst Louisbourg read at the board & sent down.

Alsoe a Petition of William French & 64 others Inhabitants of Stratham Praying relieff in the affairs of the town in relation to their calling a minister read & sent down.

Mr. Levit from the House bro't up the following muster rolls & votes of the House for an allowance on each of them, viz.

[P. 432.] Two 2 Muster rolls of John Thompson & Twelve men each scouting at Barrington & Rochester which vote was concurr'd by the Council and assented to by the Governour.

A muster Roll of Capt. Benj^{a} Mann for scouting at Rochester and vote of the House thereon for allowance read at the board & concurr'd & assented to by the Governour.

His Excelency gave his assent to the vote of both Houses for an allowance to Mr. Edward Brooks to make his waiges equal to a Lieu^{t} of an armed vessell.

The Council took under consideration the vote of the House of the 12th Inst. for making an allowance to sundry persons that were in the Expedition agst Louisbourg for loss of Time by sickness Death &c. as Entred the 13th Inst. and concurr'd the s^{d} vote to which his Excelency gave his assent.

Adjourned till to morrow 10 o'clock A. M.

Saturday August 23^{d} 1746. Met according to adjournment.

Present [as before.]

Mr. McMurphy from the House bro't up the Petition of John & Caleb Kimball as Entred yesterday and vote of the House thereon ordring a hearing & appointing a Day for the same which was read & concurred and assented to by the Governour.

Allsoe the Petition of William French & others as Entered yesterday & vote of the House thereon ordring a hearing and appointing a Day for hearing the same & for notifying the selectmen of Stratham &c. which was concurr'd by the Council and assented to by the Governour.

(1) See this Muster Roll in Potter's Mil. Hist., Adj. Gen. Report, Vol. II, p. 91.—Ed.

[P. 433.] Alsoe the Petition of George Thompson a voluntier who was taken a Prisoner at the attack of the Island Buttery at Louisbourg for loss of a Gun &c. & vote of allowance thereon which was concurr'd by the Council & assented to by the Governour.

A vote of the House for an allowance to two men Inlisted by Coll Moore, viz. Wm. Rand & John Barker which was read at the board & concurr'd & assented to by the Governour.

Mr. Sanburne from the House bro't up a vote of allowance to the men Inlisted on board the Transports of 7*s* 6*d* pr week for billeting money to the 25th Inst. & after to receive their allowance in Provisions and alsoe requiring the masters to Lay their Portlage Bills before the Comittee Imediately & that the Comittee Pay the same.

Capt. Bell from the House bro't up a vote for Imploying Thirty men to work at fort Wm. & Mary for one month which was read & concurr'd and assented to by the Governour.

Alsoe a vote of the House Enabling Col. Peter Gillman to receive two hundred Pounds out of the Treasury for Purchasing Provisions for the scouts in the frontiers &c. which was concurr'd by the Council.

Adjourned to Thursday the 4th Septemb^r 12 o'clock at noon 1746.

Thursday September 4th 1746. Met according to adjournment.

Present [as before alsoe] Saml Solley Esq.

The Petition of the Inhabitants of Kingstown Praying relieff [P. 434.] in regard to the Superiour Courts mandate about recording in their Proprietors books Two Grants of Land s^d to be made to one James Bassford within the s^d town of Kingston — read & sent Down to the House.

Mr. Russell from the House bro't up a muster Roll of Capt. John Tolford for service in scouting at Canterbury with a vote of the House thereon for an allowance which was concurr'd by the Council and assented to by the Govern^r.

Capt. Jonathan Chesley from the House bro't up a vote for an allowance of 50*s* to the wid^o of James *Goudy* (1) who was killed at the siege of Louisbourg which vote was concurred by the Council and assented to by the Governour.

Alsoe a vote for an allowance to Daniel Young of Ten shillings for Transporting Powder & ball to Chester which was concurr'd at the board & assented to by the Govr.

Adjourn'd till to morrow 10 o'clock A. M.

(1) Or Gondy.—ED.

Fryday September the 5th 1746. Met according to adjournment.

Present [as before.]

Mr. McMurphy from the House bro't up a vote Desireing his Excelency would call togeather & review the men Inlisted in the Canada Expedition which was read in Council & non concurr'd.

Allsoe a muster Roll of Saml Twomley for service in scouting at Rochester & vote of allowance yr on which was read & concurr'd and assented to by the Governour.

Alsoe the muster Roll of Charles Baker for scouting at Barrington & vote of the House for an allowance thereon which was concurr'd by the board & assented to by the Govr.

[p. 435.] Capt. Chesley from the House bro't up a vote of the House for Discharging the Transports Employ'd for the Canada Expedition which was read in Council & non concurr'd.

Mr. John Sanburne from the House bro't a vote appointing John Gage, Esq. & Mr. Henry Sherburne to joyne a comittee of Council to audite the accts of Coll. Saml Moore as Comissary in the Louisbourg Expedition which vote was read & concurr'd at the board & Sam: Solley & Sampson Sheaffe Esqs. added — and assented to by the Governour.

A message from the Council by Mr. Wibird to the House Desireing the recd the Comissary at Louisbourg gave the New Hampr Comissary for sundry Stores &c. deliver'd by Genl Pepperell & Admiral Warrens order.

A message from the House by Messrs. Clarkson & Gillman Desireing the Council to give the reason why they non-concurr'd the vote of the House for Dismissing the Transports taken up in the Canada Expedition.

Alsoe the vote for calling togeather & reviewing the soldiers in the Canada Expedition.

A messa from the Council by Mr. Wibird in answer to the House messa by Mr. Clarkson & Gillman relateing to the above votes, viz. That such request from the House was without President and to let the House know that the Council is not obleidged to give the House a reason for either concurring or non concurring any vote.

Adjourned till 10 o'clock to morrow morning.

Saturday September the 6th 1746. Met according to adjournment.

Present [as before, except his Excelency the Governor.]

[p. 436.] A messa from his Excelency the Governour to the House by Mr. Wibird recomending the Establishing a certain sum for Billeting money for the soldiers inlisted in the Canada Expedition, & also respecting the sending some forces to Crown Point.

Governor's Message.

[Copied from MS. Governor's Messages, Vol. I, p. 407.]

Gentlemen of the Assembly,

I have been waiting some time for a vote of your house to Establish the Billeting money on the Troops inlisted in his Majesty's service for the Expedition against Canada, which is now absolutely necessary to be done, & without the lest Delay, That I may assemble the men inlisted to pass my Inspection & give out proper Certificates to enable them to receive their Billeting money.

It seems now impracticable to proceed to Quebec, therefore it is agreed upon by the respective Governments, to send a sufficient number of the troops raised to attempt the reduction of Crown Point fort, upon which it will be necessary that you resolve what number of men you will subsist for this undertaking; it will also be necessary that you Resolve to subsist any number of the men that may not be Imployed in that service that I shall think proper to Imploy this fall & at any time in the winter, to penetrate into the Enemy's country or our own frontiers.

B. Wentworth.

Council Chamber in Portsm^{o} Sept. 6, 1746.

Mr. McMurphy from the House bro't up a vote Directing that the several Comittees of Warr &c. Imployed in the Louisbourg Expedition Prepair their respective acc^{ts} & Lay them before the Genl Assembly.

Alsoe an allowance to Theodore Atkinson Esq. for Two Journeys to Boston upon affairs of the Province which was read at the board & concurr'd.

Alsoe an acc^{t} of Jeremiah Libby for repairing the Province Goal & vote of the House thereon for an allowance which was read at the board & concurr'd.

Jotham Odiorne, Esq. chairman of the Comittee appointed to Treat with the claimers of Mr. Mason's right &c. bro't in a memorial from the s^{d} claimers Directed to the s^{d} Comittee offering to dispose of their remaining right, as it cost them, which memorial was read at the board & sent down to the House.

[The following is the Memorial referred to.]

Letter from Masonian Proprietors to the Committee on Province Lands.

[Copied from MS. Corr. in Secretary's Office, Vol. I, p. 313.]

Gentlemen

When we parted about a month ago by what was then said we expected you would have Pursued that part of the vote you shew us that related to your taking the advice of gentlemen Learned in the Law about proper Instruments to be Drawn & Executed by us to convey to the Province our Right to that part of the Province heretofore claimed by Mr. Mason, which after the said Deeds was so prepared were by your said vote to be laid before the Assembly at their next meeting which meeting of assembly is long since Past & we have never yet seen any Deed nor can we learn any hath been Prepared.

Gentlemen—

We are not unsensible that a report has prevailed in many parts of the Province,—That we took a bargain out of the Governments hands & that by our so doing they were Deprived of that very Land which was always Reserved for the Inhabitants of the Province as a recompence for the great charge they had been at &c. and that the same had often been Promised to them—Now Gentlemen pray give us leave to tell you (in the capacity of a Committee appointed to Treat with us) That this affair has lain before the Assembly ever since the 30th of October 1744, being then laid before them by His Excellency, with the agreement made between Mr. Thomlinson on behalf of the Government, and the said Mason, and was afterward several times put in mind thereof by Messages but nothing done to effect. After this when Mr. Mason arrived from England last winter, he put in a memorial Desireing the said Agreement with Mr. Thomlinson might be Ratefyed, that he on his part was always ready; but to this he could get no Answer, he then Preferr'd a second memorial in which he told the Government he could wait no longer and that unless they Immediately came to some Resolution he should be obliged to make the most of his Interest another way, and that he should take their silence as a refusal, to this Last he waited many Days at the Door, before he was Admitted to speak, and when he was and had Answered such Questions as the House tho't proper to ask, and had said what he tho't was necessary in the Affair was Dismiss'd without any Prospect of an agreement. Then he apply'd to us as he had often done before, but we refused to have any Treaty with him 'till he had Publickly Docked the Intail which ought to have been done at the Province charge & we dare say not one Person in the Government that is acquainted with these things believes the Assembly ever intended to purchase of him, so that we certainly are clear of the charge of taking a bargain out of the Governmts hands. We could by no means force the Assembly to Purchase it for the People. Those of us who were of the Court forwarded it to the utmost of our Power, and always would have voted for it, & to shew our Inclination Immediately after we had Purchased of Mr. Mason Signed a Quit claim to every Proprietor of land holding under the Government in the old Towns and their appendages, viz. Portsmouth, Dover, Hampton & Exeter, & to the other Towns of Kingston, Londonderry, Chester, Nottingham, Barrington, Rochester, Chichester, Epsom, Canterbury, Bow & Barnstead, this was done freely and without any consideration, but to Quiet the good People, and had our view been otherwise we might have made great sums, even of private Persons to have confirmed their particular rights in many of those New Towns where Possessions cannot as yet create them a Right. This was one reason of our Purchasing & Let any Impartial Person Judge weither We have Injured the Inhabitants or befriended them. We assure you many of us would have given as much money for Mason's Private Quit claim to our own Rights in the New Towns.

Besides every body knows how Mason's Right has always hung over us and on every turn we are threatened with a Proprietor. This has been the case since the Government was settled & very lately these threats are come nearer home, within less than twelve months, Mason's Deed to a Committee of the Massachusetts in behalf of that Government for a Tract of land on the Boundary Line whose Purchase consideration was £500, has lately been Entered on our Province Records & bro't into Court, and as we are Informed a Title under it set up in Opposition to the Grants made here by the Governor & Council—Seeing these things We wisely Prevented the spreading Evil by taking Mr. Mason up, who when we agreed with him had better offers from another Quarter. We hope we have not materially mistaken any of the foregoing facts, some or other of us being Privy thereto from whom we have had the Information.

And now, Gentlemen, We assure you that we are ready to Execute a Deed for our Remaining Interest in the Premises in the same manner we recd it, and for the same sum with our cost attending the same, Provided this be done within one month from the date hereof, and the Deed is made to convey the Land to the Government to be granted to such Inhabitants as the Gov-

ernour and Council shall grant *charters?* (1) & you'll excuse us in saying We will wait no longer than one month, because We have many Persons to oblige in the disposal of these Lands & If we seek the opportunity can sell them for more than ten times the value we gave and offer them for.

We are Gentlemen your
most obedient Humble servts

Portsmouth, Sept. 4th 1746.
To the Hon'ble

Jotham Odiorne
Samuel Smith
Samuel Solley
Sampson Sheaffe } Esqs.

Peter Gilman
Henry Sherburne
John Gage
Meshech Weare } Esqs.

Theodore Atkinson
R. Wibird
John Moffat
J. Odiorne, jun.
Mark H. Wentworth
John Wentworth, jun.
Nathaniel Meserve
Saml Moore
Tho. Wallingford
Thos Packer
Geo. Jaffrey junr
Joshua Peirce (2)

As a Committee of the General Assembly appointed to treat with the claimers of Masons Rights.

In Council September the 6th 1746.

The foregoing having been Presented to the board by the chairman of above sd Committee was read at the board & ordred to be sent down to the Hon'ble the House of Representatives.

Theodore Atkinson, Secy.

Indorsed "Theodore Atkinson Esq.
& Compa their Letter to ye
Committee of both Houses.
4 Sept. 1746."

The Council took under consideration the vote of the House of this Day relateing to the several Comittees Preparing their acct &c. and concurr'd the same.

Mr. Bell from the House bro't up a vote of the House for allowing 5s pr week to each effective volunteir Inlisted in the Canada Expedition from the Time of their Inlistment to the 15th of August last which was read at the board & concurred and assented to by the Governour.

Adjourned to Thursday the 18th Inst.

At a Council & General Assembly holden at Portsmo according to adjournment on Thursday September 18th 1746.

Present his Excelency the Governour

George Jaffrey
Jotham Odiorne
Henry Sherburne
Theod. Atkinson } Esqs.

John Downing
Saml Solley
Sampson Sheafe } Esqs.

[P. 437.] His Excelency sent the Secretary to the House with

(1) This word is mutilated in the original.—Ed.

(2) All the above signatures are autographs.—Ed.

a written message with orders to leave the same with the Speaker, which was Don accordingly.

Governor's Message.

[Copied from "MS. Gov^rs Messages," Vol. I, p. 409.]

Gentlemen of the Assembly—

Upon the probability of there being a French fleet upon our coast, I have made the necessary dispositions for assembling the respective regiments of militia, upon the first notice of an alarm at his Majesty's Fort William & Mary, & appointed proper places for their parading.

The deposition of William Stanwood taken before the Governor & Council of the Massachusetts on the 15th Instant & transmitted to me by Govr Shirley is a confirmation of this probability, which the Secretary shall lay before you. I think it of absolute necessity upon this occasion, that you make a grant of one hundred men to be posted at his Majesty's fort at New Castle, untill the certainty of the motion of this squadron is known, it being not altogether improbable but these Troops & Squadron may be destined for this Government.

I must alsoe desire that you make a resolve to subsist such a number of the Troops raised for the Expedition against Canada as I shall think proper to Imploy for his Majesty's service in conjunction with the other Governments, at Crown Point, or elsewhere, as the occasion may require.

From the dangerous situation we are now in, you see how necessary it was to have come into the plan of Labour wch I have so often pressed you to come into, whereby the Fort might have been by this day compleated, which must now be the work of another year, & his Majestys subjects greatly exposed thereby to the Insults of the Enemy. I hope, therefore, you will now take that matter once more under your consideration & make such ample grants for that service as will enable me with all possible dispatch to put the Fort in the best posture of defence; otherwise for my own justification I must be under a necessity to lay the state of the Government before his Majesty, wch will be disagreeable to me & Injurious to the Government.

I hope you will give dispatch to what I have recommended, my design being to adjourn the Genl Assembly tomorrow, intending to Imploy what time I have to spare for his Majesty's service at the Fort.

B. Wentworth.

Council Chamber in
Portsm^o Sept. 17, 1746.

Adjourned till tomorrow 10 o'clock A. M.

Fryday September 19th 1746. Met according to adjournment.

Present [as before, except Sampson Sheaffe, Esq.]

Mr. Sanburne from the House bro't up a vote Desiring his Excelency would give orders for the Inlisting or Impressing 50 effective men to be Imployed in building Battery, Mounting Great Guns &c. which was read & sent down to the House for an amendment & Left with the House.

Mr. MacMurphy from the House bro't up a vote Desireing his Excelency would order Lay^g the muster rolls of the Canada Expedition before the House which was read & laid upon the Table.

Mr. Israel Gillman bro't up Two votes one for appointing a

Comittee to get Deed of conveyance of Mason's rights Drawn & Lay them before the House.

And alsoe a vote Desireing his Excelency would give his orders for Inlisting or Impressing 50 effective men to be Imployed in building *fusheen* Batterys &c on Great Island both of which were concurr'd at the board and assented to by the Govern^r

Adjourn'd till tomorrow 8 o'clock A. M.

Saturday September 20th 1746. Met according to adjournment.

Present

George Jaffrey	Esqs.	Theodore Atkinson	Esqs.
Jotham Odiorne		Saml Solley	
Henry Sherburn		Sampson Sheafe	

Mr. Jennes from the House bro't up a vote directing the Committee of War for the Canada Expedition to Deliver Provision to 597 men if his Excelency should order so many upon Duty which was read at the board & concurr'd.

[P. 438.] Mr. Bell from the House bro't up the account of Saml Hixon for himself & boat going Express to the Isles of Sholes &c. & vote of the House thereon for an allowance which was read at the board & concurr'd.

Adjourn'd till Thursday the 25th Inst. at 10 o'clock.

Thursday Septemb^r 25th 1746. Met according to adjournment.

Present [as before, also]

Saml Smith	Esqs.
John Downing	

Mr. Jennes from the House bro't up an acc^t of Doctor Jos Adams for medicine & attendance &c. to John Carter a soldier in the Louisbourg Expedition & vote of the House thereon for an allowance.

Adjourned till tomorrow 10 o'clock, A. M.

Fryday September the 26th 1746. Met according to adjournment.

There not being a Quorum of the House adjourned by his Excellencys order till tomorrow 10 o'clock A. M.

Saturday September 27th 1746. Met according to adjournment.

Present his Excellency the Governr

George Jaffrey	Esqs.	Saml Smith	Esqs.
Jotham Odiorne		John Downing	
Henry Sherburne		Saml Sheaffe	
Theod. Atkinson			

[P. 439.] Mr. Macmurphy from the House bro't up Two muster rolls of Ebenr Collins for scouting at Rochester & votes of the House thereon allowing the same which were read at the board & concurred.

Alsoe one other muster roll of Phineas Batchelder for scouting at Rochester and vote of the House thereon for an allowance which vote was read at the board & concurr'd.

Mr. Jenness from the House bro't up a Vote Desiring his Excelency would give orders for Inlisting or Impressing one hundred men to be posted at fort Wm. & Mary & one hundred men for service of the frontiers which was read at the board & concurr'd.

Mr. Sherburne from the House brot up a vote for Dismissing all the Transports taken up for the Canada Expedition except the Two armed vessels — which was read at the board & concurr'd.

Coll. Gillman from the House bro't up a vote Enabling the Comittee of War for the Louisbourg Expedition to Deliver the Cloathing &c. Provided by them to the Comittee of War for the Canada Expedition which was read at the board & concurred.

Alsoe a vote Desireing his Excelency to remove Part of the Powder now in the magazine at the fort to such other Place or Places as he shall think proper or more secure &c. which was read at the board & concurr'd.

Alsoe a vote Desireing his Excelency would cause a List of the men Inlisted in the Canada Expedition with the Time of their Inlistments to be laid before the Genl Assembly.

Alsoe a vote Desiring his Excelency would with the advice of his Majesty's Council appoint a Day of fasting & Prayer thro'out this Province on acct of the French fleet, (1) the shortness of the Harvest &c.

His Excellency adjourned the Lower House to Tuesday the 14th of October next at 12 o'clock at noon, and the Council till 8 o'clock tomorrow P. M.

(1) For affidavits respecting the approach of a French fleet, see Records of Council in this volume, pp. 109, 110.—Ed.

Answer to Gov. Shirley's and Com. Warren's Queries respecting the most practicable scheme for the reduction of Canada.

[Copied from MS. Corr., in Secretary's office, Vol. I, p. 267.]

Boston, Aug. 15th 1746.

Gentlemen —

The Duke of New Castle in his letter of 9th April having signified to us his Majesty's pleasure, that we should together wth Lieut. General St Clair Consider what may be the most practicable & advisable scheme for the reduction of Canada, in the present Expedition against it — and we being persuaded of your capacity to inform us in the said points, in order to qualifie ourselves for Executing his Majesty's Commands in the best manner, desire you would give us answers in writing to the Questions herein after mentioned, viz.

W. Shirley. P. Warren.

To Collo John Stoddard
and
Collo Theodore Atkinson

Q. 1. What number of fighting men French & Indians do you suppose to be in Canada, and what number of other Indians now in the French Interest, and not residing within Canada, might be drawn to its assistance upon occasion of the present Expedition?

Boston, Augst 17th 1746.

We having Considered the several Questions Do humbly offer our opinion in the manner following —

It is long since either of us have been in Canada, and not easy for us rightly to conceive of the Increase of the People in that country. In order to form some Judgment we have considered that the settlements are chiefly near the Bank of the river St. Lawrence, the country back from the river is very wet, and not capable of Improvement till drain'd,—the land on each side of the river Divided into Townships of six miles square, the length from Boolel Isle or head of the Island of Mount Real to the lowest Towns near twenty miles below Quebeck is about 220 miles which divided by six makes 72 Towns there are likewise three or four Towns back from the river on the Island of Mount Real one or two on Chamblee River, so that we call the number of County Towns Eighty, and in the year 1714 'tis probable that there were not more than six or eight of these Towns that had more than Twenty houses in each, in some of them ten, in others 5 or 6, in divers of them not more than one, in some of the Townships none at all. And supposing they are so Increased as that one with another, they may be thought to have fifty men in

each that will make	4000 men.
We allow there to be in Quebeck	1000
At Mount Real	1000
of Regular Troops	1000
of Indians that dwell in Canada	1000
	8000

We have exceeded our Judgments in the several Numbers but inasmuch as it is Generally said that there is a much greater number of People in that Country and we know that when the People of a Country are assembled, men seem to come out of the caves of the earth, or a man can't tell from whence they come, it seems safest to suppose them Double that number which will make them sixteen Thousand.

As to the Remote Tribes of Indians in the French Interest, it won'd be vanity for us to Pretend to say who are firmly attached to them or what their numbers are, 'though it is well known those commonly called Eastern Indians. St. John's and Cape Sable Indians are so,— it is likewise known that there are divers Tribes up the River St. Lawrence that the French hold a corres-

pondence with, who are also in alliance with the six nations as particularly those that Dwell on the lake Coderockquy, the Meammees, the Hurons — and some of the Otawaes that live at a place called the Straights, and many other Tribes still at a greater distance and to us unknown.

No. 2. What number of Forces do you apprehend it may require to form and Cary on the Siege of the cities of Quebeck and Mount Real, and penetrate by land into the Western Parts of Canada as far as the Island of Mount Real, at the same time distinguishing the number that each part of the service would require?

In answer to the second Question we apprehend there need be near twenty thousand Land forces, for many of the Inhabitants of that Country are strong & active Inured to hardship, Expert in war, much used to arms, they constantly maintaining war with some of the remote nations and used to continual voyages towards Missisippy,— our men Raw and Unexperienced, and in case we happen to be overmatched can't expect any reinforcements.

The People near Mount Real are as Numerous as near Quebec, most of the Indians dwell in the upper part of the Country, and the Kings ships can't be serviceable but only at or near Quebec, so that it seems there will be need of as many of the Land Forces at Mount Real in case of a siege as at Quebec, 'though they are not so strongly fortified.

No. 3. What is the best Rout for the American Forces to take in order to penetrate into the Enemy's Country, as far as before mentioned?

As to the third Question we are of opinion that it is much the easiest and safest for all the Land Forces to go by sea to Quebec, and those designed for Mountreal to go up the river in small vessells wherein may be caried Provisions, Artillery, &c. necessary for them, they may return the same way, without Danger in case of Disappointment, and we can't conceive of any occasion to Penetrate the country from Albany, but only for the sake of the Six Nations and other Tribes of Indians, who would not be willing to go by sea nor by land, without the Company of some English, therefore it seems Expedient that seven or Eight Thousand men go by water to Mount Real, which would oblige the French Imediately to recall their forces that may be sent to Lake Champlain or elsewhere to oppose our Land forces, and then the six Nations and the English with them may Enter the Country with all safety, Crown point notwithstanding:— but if no forces are sent up the river St. Lawrence to Mount Real, it is evident that the shortest way from Albany as well as the Easyest is by Wood creek and Lake Champlain, and they may either take Crown Point as they go along, or carry their Battoes a little way cross the land and avoid it.

No. 4. What number of men are you of opinion it would require to penetrate so far into the Enemies country, with sufficient strength to support themselves against the ambushes or open force with which the French might be able to oppose and annoy them in their Passage or retreat (if that should be the case) supposing the siege of Quebeck to be then formed, but not that of the City of Mount Real, nor any Troops landed on the Island of Mount real by way of the river of St. Lawrence, in order to Divide or make a Division of the Enemies Forces in those Parts, and the Fort at Crown Point to be left on the back of our Forces in the Enemies Possession?

On the fourth Question — Quebec being besieged, no forces landed on the Island of Mount Real, Crown Point in Possession of the French, it is requisite that there be as large a force to Penetrate through the Country, as there would need to form a Siege against Mount real, (viz. Near ten Thousand men.)

No. 5 Of what advantage do you apprehend the reduction of Crown Point might be to his Majestys service for the facilitating the conquest of the whole Country of Canada; and what Force would it require to effect the Reduction of it in case neither the City of Quebec nor Mount Real were besieged at the

same time; also what force would it require to do it, Supposing a Diversion was made at Quebec but none at Mount Real, and what season of the year do you Judge to be the most advantageous for attempting the Reduction of this Fort, as also the latest for doing it with a probability of success?

In answer to the fifth Question—

If all our forces were to go up the river of St. Lawrence not only to Quebeck but to Mount Real, Crown Point being taken would no ways contribute to the more easy reduction of Canada, only as the taking of it would tend to Dispirit the People of that country, but if it be designed that the army that goes to Mount Real should march from Albany, then Crown Point's being in our Possession will greatly Prevent the French getting knowledge of the marches of our army from Albany, because it will be difficult for them to keep parties on Wood Creek, on the carrying place and elsewhere to observe our motions, and to take Prisoners, it would likewise give us the command of Lake Champlain, and thereby greatly prevent the French Indians making Depredations on our frontiers, and give our forces an opportunity of making a suddain & unexpected Descent on their Borders, as well as a safe one, Especially if we should have a small vessell in that Lake, it will make our Retreat (if found necessary) easy and safe, and in short will give us an advantage equal to that they are deprived of, and Particularly it would make it easy for our parties of Indians to run into Canada every few days and Distress their Inhabitants in the same manner they have done ours and the taking that fortress will be the most effectual means to Establish the six nations in our Interest. As to the season of the year, if that be considered simply abstracted from other circumstances, it seems reasonable to think that late in the fall, and early in the Spring, when the waters are partly frozen & partly open, so that the French can't send them succours would be convenient seasons, but at those times it would be inconvenient for men to lie long in their camps, but now we are expected at Quebec, and that an army is thought to be on their march for Mount real, and it must be thought that their principle care will be to save their country, and not to preserve a fortress which is only a convenience to them, and if it be thought advisable only to attempt the taking Crown Point for the present, it may be thought best to engage in it whilst we are expected elsewhere, for if it should be long Delay'd and some ships should shew themselves at or near Quebec the French would know that the season was past, and that those ships were designed for an amusement.

As to the number of men requisite for such an Enterprise, it may well be thought that more will be needed at such a season as this when we are expected there, and are advised that there are a great number of French & Indians there to prepare for the Defence of that place, and Probably all Canada in arms, and they may with good reason suppose that if they can give us some notable repulse at a Distance it may be a means to save their Country, therefore it seems convenient to send all the American Troops, who are now in the Kings pay & ought to do his service, and we had better have ten too many than one too few.

No. 6. What time ought to be allowed for the Passage of his Majesty's ships & Transports from Louisbourg to Quebec, and what is the latest Time of the usual Departure of large ships from thence; and till what time in the year might it be advisable for his Majesty's ships and the rest of the Fleet to stay there in case it is proposed they should return that year, and what time would it take up to send the Forces which are to march by land into Canada from Albany notice of the arrival of the Fleet in St. Lawrence River, and how long would their Passage thro' the Enemies Country as far as the Island of Mount Real take up after their having such notice; and would it be advisable for the Troops in any case to leave the Fort at Crown Point behind them in the Possession of the French?

No. 7. At what time of the year does the winter usually begin to set in at Quebec & Mount Real, and till when will the climate there permit the Troops to remain in the field and carry on their operations at those places, and the

ships to lie before Quebec, and is it Practicable for the ships to winter at any & what Place in the River St. Lawrence, and at what Distance from Quebec and advisable for them so to do and for the Troops to winter in the Country at any & what place there with safety to their health against the Rigour of the climate and with security against any Probable attempts of the Enemy there during that season?

As to the two last Questions we are far from thinking ourselves competent Judges but can say that it is now late in the year, and it will take some time to prepare for the Embarkation of the American Troops, and by the best Information we can get it may Probably take six weeks time to sail from hence to Quebec (besides what time may necessarily be spent at Cape Breton) which will carry us a considerable way into the month of October, we are likewise Informed by divers persons who have lived in Canada that the snow frequently falls in that Country in October, and don't usually go off till the spring of the year and yet the ground is rarely much frozen, they further Inform us that the French ships commonly sail from Quebec in October though sometimes some have sail'd in November.

We can't learn that there is any harbour near Quebec where ships can lye in the Winter season. It has been thought by some that the ships may be safe at Tedusack, but we are to seek to what Purpose it will be to have such a number of ships of War remaining at such a Distance in a state of inactivity for six or seven months together, or to have our land forces lye still for the same length of time in a cold climate where they must necessarily suffer many hardships from the inclemency of the weather, and it would not be strange if multitudes should be lost by sickness or Destroy'd by the Enemy against whom they will not be able to fortify themselves.

As to the time it will take to send from Quebec to the carrying place to notify our land forces of the arrival of our ships before Quebec, it seems somewhat uncertain, but if we carry Indians on ship board probably they may carry news within a fortnights time, but this seems at present somewhat Immaterial because there is no probability of a land army to be notified, or at least such an one as can without Presumption enter the French country, which of itself will prove fatal to the Expedition.

We are your Excelencies most humble
& ob^{t} ser^{ts}

John Stoddard
Theod^{r} Atkinson.

Copy.

[p. 440.] At a Council as part of the General Assembly holden at Portsm^{o} according to adjournment on Sunday the 28th of September 1746.

Present his Excelency the Governour.

George Jaffrey, Jotham Odiorne } Esqs.
Theodore Atkinson, Saml Solley } Esqs.

His Excelency gave his assent to the following votes of Assembly, viz.

A vote of the 20th Inst for Delivering Provisions to the soldiers Inlisted for Canada Expedition.

A vote for an allowance to John Carter for Doctors Bills &c. as Entred the 25th inst.

A vote of allowance on Phineas Batchelder muster rolls as Entred the 27th inst.

Two votes of allowance on the muster rolls of Ebenez' Collins as Entred the 27th Inst.

And a vote for removing the Powder & other stores as Entred the 27th Inst.

The Council adjourned by his Excelencys order to the first day of October next at 7 o'clock P. M.

The Council as part of the General Assembly met again according to adjournment on Wednesday October the 1st 1746.

Present his Excelency the Governour,

Jotham Odiorne Theodore Atkinson, Esqs.

Adjourned by his Excelencys order till Sunday the 5th day of this Inst. October at 7 o'clock P. M.

Sunday the 5th of October 1746. Met according to adjournment.

[P 441.] Present his Excelency the Governour.

Theodore Atkinson.

Adjourned to the 8th of October. Again adjourned till the 14th October at 12 o'clock, noon.

At a Council & General Assembly holden at Portsm° according to adjournment on Tuesday the 14th Day of October, 1746.

Present

Jotham Odiorne Theodore Atkinson.

Adjourned by his Excelencys order to Tuesday the 25th of November 1746.

Present

Jotham Odiorne, Henry Sherburne, Theodore Atkinson, Richd Wibird } Esqs.

John Downing, Saml Solley } Esqs.

Prorogued by his Excelency's order to Tuesday the 2d day of December next at 10 o'clock A. M.

Sent Home to this Date pr. Capt. Gaiton.

[P. 442.] At a Council & General Assembly holden at Portsm° according to Prorogation on Tuesday the Second Day of December 1746 from Tuesday November the 25th 1746.

Present his Excelency Ben^s Wentworth Governour.

Jotham Odiorne	Esqs.	Saml Smith	Esqs.
Henry Sherburne		John Downing	
Ellis Huske		Saml Solley	
Theod. Atkinson		Sampson Sheaff	
Richd Wibird			

His Excelency the Governour sent the Sec^y to the House to acquaint them that he Directed the Speaker & the House to attend him in the Council Chamber which being done the Speaker and House attended accordingly.

His Excelency made a speech to both Houses as follows:

Gentlemen of the Council and of the Assembly

The imminant Danger that his Majestys Governm^t was exposed to from the near approach of the French Squadron (1) made it necessary for me to strengthen his Maj^tys Fort Willm & Mary by additional works & Batteries & to arm in the best manner I could for our Defence & considering the short Time I had for this Preparation, the want of materials & Implements of War for such an undertaking (a number of which I have caused to be made for the use of the Garrison & to keep the Troops advantageously Imployed) I believe no Government has Exceeded this or did more in the Time For their security, and at so small & [an] Expence to the Publick, which may be in Part attributed to the universal attention given to that service by the Town of Portsm° & those in her neighborhood an Example worthy to be imitated by all both in Publick & Private Stations.

Upon this Emergency there has many unforseen Expences arisen which I hope you will chearfully Discharge when they come before you.

[P. 443.] I tho't it for his Majesties service & for the safety of his subjects to assemble the Troops raised for the Canada Expedition at New Castle which will create alsoe an expence unprovided for by the Generall Assembly, the want of proper Barracks for their reception not only occasion'd disorders but prevented the Governments receiving the full benefit of their Labour I esteem it therefore for his Majestys service and the safety of the Governm^t that Imediate Provision be made for erecting Barracks for at least Two hundred & fifty men which may receive a number of the Kings troops I may order there while they are under my command and hereafter serve for such Detachments of the militia as may be convenient to Post there for the Defence of the Province.

Gentlemen of the Assembly

In the absence of Lt. General St. Clair the conducting of the Troops raised in New Hampshire, Mass^a & Road Island Governments for the Canada Expedition is solely vested in Governour Shirley and Admiral Warren who by a joynt Letter to me apply'd for such a part of those Troops as I could reasonably Embark for the succour of his Majestys Garrison at Annapolis Royal & upon my comunicating their Letter to his Majestys Council they unanimously advised me to Embark on board the Sloop Warren & Brigan-

(1) This French squadron was under the command of the Duke D' Anville. The news of the approach of it excited great alarm in all the New England Provinces, and preparations were immediately made for defence. But whatever were the designs of the fleet, all were thwarted by a terrific storm, in which many of the vessels were wrecked, and those which escaped destruction returned to France. "Never," says Dr. Belknap, "was the hand of divine Providence more visible than on this occasion. Never was a disappointment more severe, on the side of the enemy; nor a deliverance more complete, without human help, in favor of this country." [*See Farm. Belk. Hist. N. H., p.* 284.]—Ed.

tien St. Clair as many of s^d Troops as could be accommodated with convenlency and that they should be subsisted out of the stores for the Canada Expedition. In consequence of this advise I gave orders for Embarking one hundred & Eighty men but from the Discouragements & misrepresentations in Pursuance of my orders by evil minded People against the True Interest of the Government but one hundred and Twenty-Eight officers & seamen Included were Embarked on board both vessels.

Of the remainder of his Majesty's Troops I propose to Imploy Two hundred upon your granteing them subsistance in opening a road to Winipissioce and Canterbury, in erecting a Block House at the Great Pond & one or more advanced magazines in the Enemies Country from whence I propose that a sufficient number of the most able bodyed men shall march over to the French settlements on or near the River St. Lawrence at a Time when the Inhabi- [P. 444.] tants both French & Indians can have no succour from Quebeck & Montreal whereby their retreat will be safe & free from Danger & should this Enterprise be crowned with *with* success it will most effectually secure our inland frontiers from the usual sallies made on them by the Indians in future and strike a greater terror in the French than any thing that heretofore has been attempted. The persons I propose to Employ in this service are fully Perswaded it is practicable and as sure of succeeding.

The above Detachments I have in a late Letter to his Grace the Duke of New Castle shown the necessity of making, which Doubt not will receive his Grace's approbation, the remainder of the Troops raised for the Canada Expedition upon your granting them subsistance & other stores requisite I shall employ in conjunction with the southern Governments for the reduction of Crown Point which I recomend to you as a thing worthy your attention.

In my last Letter from your agent he complains in the most solemn manner of the unreasonable neglect of the Government in not furnishing him with your Demands for the reduction of Louisbourg that he may be Enabled to make your claim on the Crown at the same time the agents for the other Governments concerned in that Expedition do, and shews the great Danger there will be of New Hampshire being excluded in the Parliamentary Provision that may be made for that service if the Demand comes out of time.

On an occasion of so much Importance to the Government I have Transmitted the Treasurers Certificate of Gross sums Expended by this Government both in the reduction of the Place & re-inforcing it as near as he could come at it by the Chester man of war & the two next conveyances to Mr. Agent Thomlinson, that he may make a Demand of something in behalf of the Province untill he can receive the acc^ts in form to Lay them before the Proper officers which it highly concerns you to transmit with the utmost Expedition.

[P. 445.] I hope Gentlemen for the future you will Esteem it worth your care to correspond with your agent on every subject of Importance & relieve me from business that is not my Imediate concern & you are all sensible that I have not failed to Press this matter upon you both in Publick & Private.

Upon my receiving an acc^t from Pennycook that a party of about thirty Indians had killed & scalped a man (1) in the body of that Town & that it was generally supposed that scout marched to the Eastward I ordred Major Davis with a Detachment not under forty of his company to march to Rochester & scout in & about that Town, alsoe at the same time I ordered Captain Gotte to march with the company under his command to Pennycook, Canterbury, & so cross the country to Rochester by which means I hope further mischieff has been prevented from that Party of the enemy.

The £15000 Loan remains unsettled for want of the aid of the General Assembly and as that fund has subsisted so much beyond the Time limited I hope you will not fail of bringing it to an Issue. I shall order the Treasurers

(1) The person above referred to was a Mr. ESTABROOKS, who belonged to Hopkinton. Having been to Concord on business, Nov. 10th, 1746, returning he had proceeded about three-quarters of a mile on the road, (to the land since owned by the late Gen. Franklin Pierce,) when he was fired at by a party of Indians and killed. The report of the guns was heard in the Main street, and in half an hour afterwards Estabrooks was found dead. [*See Bouton's Hist. Concord*, p. 177.]—ED.

acc^{ts} to be laid before you for your Inspection in order for their being transmitted to His Majesty.

In pursuance of your vote for Billeting the Troops Levied for the Canada Expedition I have issued my warrants on the Treasury for the Payment of two months Billeting to each man what further Provision is necessary I make no doubt you will Provide for.

The great Danger his Majesties Government has been Exposed to the last Sumer Prevented my Delivering to the order of John Thomlinson Esq. the one hundred & Eighty bbs. of Gun Powder which he has long since paid for in conformity to his Majesties order in Council and I now recomend it to you as a matter of great Importance & for the Hon^{r} & safety of the Government not only to Discharge honourably that Debt but to make the necessary Dispositions for Purchasing a much larger Quantity without which the Province cannot be safe.

[P. 446.] It is but a few weeks since every thinking man in the Government tho't there could not be too large a stock of Powder for the Publick uses but at that time no sum of money would purchase one single barrel.

I have in one or more Speeches from the chair Desired that the Depreciating of the Paper currency whereby the Sallary settled upon me by acts of Government was lessened might have its due consideration, and I believe you will find repeated messages from me on the same occasion, but for what reason they have not had a Due attention is with you to Determine & it is with great reluctancy that I must Press a branch of the Legislative Power to Do Justice to their own acts and in a Point which so much relates to the supporting the Honour & Dignity of the Government.

Nothing will make it clearer that it is your Duty & Interest to see this Act Duely Executed than the words of his Majesty's Instructions for settling a Sallary on his Governour, which are as follows:—

"And particularly that such Sallary be Enacted to be paid in Sterling or "Proclamation money or in Paper Bills of Credit curr^{t} in that Province in "Proportion to the value such bills shall Pass at in Exchange for silver that "thereby you may Depend on some certain Income and not be lyable to have "your stipend varied by the uncertain state of Paper money."

The care his Majesty has been graciously Pleased to take for my support I make no doubt will be an example for you to follow and therefore I am perswaded you will not Delay to make ample satisfaction for the Deficiency in my sallary for the years Past but make a decent Provision for my accommodation for the future in every respect.

Gentlemen of the Council and Assembly,

Since the Last adjournment of the General Assembly I have received his Majesty's royal order in Council dated 28th May 1746 for Dismissing the Peti- [P. 447.] tion of Thomas Hutchinson Esq (1) with about Thirty five Petitions thereunto annexed, alsoe the Petition of the Town & Proprietors of Dracut that were either Intersected or fell within this Province upon his Majesties Determination of the boundary Lines between New Hampshire and the Massachusetts Praying they might be united and re-annexed to the s^{d} Province of the Massachusetts Bay which shall be laid before you and since this matter has been so solemnly heard before the Lords of his Majesty's most Honourable Privy Council & Dismissed I am hopeing it will settle the minds of the People & Establish the Peace & Tranquility of the Government on a lasting foundation.

B. WENTWORTH.

Council Chamber in
Portsmouth December 2^{d} 1746.

The Speaker prayed a copy of the Governours Speech and withdrew.

(1) THOMAS HUTCHINSON, Esq., was at this time Agent, in London, for the Province of the Massachusetts Bay; but all his purposes and endeavors were defeated by the consummate prudence and skill of Mr. Thomlinson, Agent for New Hampshire.—ED.

His Excelency sent the House a copy of the above Speech by the Secretary together with his Majesty's order in Council upon Mr. Hutchinson's Petition as referred to in the speech.

The Petition of Walter Warren a volunteer in the Louisbourg Expedition Praying an allowance for extra service done there as an armorer — Loss of tools &c. read & sent down.

Adjourned till to morrow 10 o'clock A. M.

Wednesday December 3d 1747–[6?] Met according to adjournment.

Present [as before.]

[P. 448.] A Petition of William French & sixty-three others Inhabitants of Stratham setting forth the Difficulties in said Town in relation to a separation in sd Town & calling a minister &c. read & sent down to the House.

[The following is the Petition referred to:]

[Copied from MS. Papers "Towns," in Secretary's office, Vol. VI, p. 265.]

To his Excelency Benning Wentworth, Esq. Captain Generall Governor and Commander in Chief in and over his Majesty's Province of New Hampshire:

To the Honble his Majesty's Councill and House of Representatives convened in General Assembly —

The Petition of the subscribers, Freeholders & Inhabitants of the Town of Stratham in the Province aforesaid —

Humbly Shews, That your Petitioners having for some years past been under very Difficult Circumstances both as to their Church and Town affairs occasioned by the unhappy and unscriptural Separation of a great number of the Principal members of the Church who by their Example have influenced others of the Church and congregation to Follow them into the same separation and thereby have made themselves the major parte and have for some time past carry'd on the Publick worship in a Separate house and are got to such a height as to call a Town meeting to choose a Committee to apply to Mr. Joseph Adams their present minister to take on him the pastoral care and charge of a church in said Town and to cast himself on the Lord and Depend on him for what he shall incline the People to give him for his support (1) which your Petitioners expect will be liberal enough inasmuch as we must bear our part of it unless releived herein by your Excelency and hon^rs — and Inasmuch as their Separation and proceeding thereon is so unjust and unwarrantable and we have just reason to fear willfull and our circumstances will not admit us without Impoverishing our Estates to maintain more than Mr. Rust our present ordain'd minister (with whose Doctrine and Conduct we are well satisfy'd) who was Principally call'd and settled by the Principal Gentlemen in the present separation who then made a great shew of Respect for him and his ministry, and inasmuch as this un-

(1) The difficulties in Stratham here referred to grew out of the "Great Revival" which prevailed in many parts of New England, about this time. The Rev. Henry Rust, ordained in Stratham in 1718, was the regular minister in the town; but the disaffected party favored Rev. Joseph Adams, who was engaged by them to preach as early as 1742, and again in 1745. His ordination, however, was delayed by the pendency of this petition until March 20, 1747. In June 24, 1756, after the death of Rev. Mr. Rust, Mr. Adams was installed as minister of the whole town. He died Feb. 24, 1785, after a ministry of 38 years, aged 66. [*See History of N. H. Churches*, 1856, *and Farmer & Moore's N. H. Gaz.*]—Ed.

happy separation and proceeding thereon greatly Tends to an unnatural Behaviour towards each other and to root out our Holy Religion and alsoe to Destroy that Love Peace and Unity that ought to be kept and maintained amongst us as the Professors of Christ, as also to the Destruction or wasting of our Estates — Wherefore your Petitioners most Humbly pray that your Excelency and hon^{rs} will take our Deplorable case under your wise consideration and redress our present Grievances in such way as to your Excellency and hon^{rs} shall seem most for the Glory of God and Real wellfare of this Place.

And your Petitioners as in Duty bound shall ever Pray.

Dated at Stratham August 12th 1746.

(1)	(2)	(3)
William French	Samuel Wiggin	Jonathan Jones
Thomas Wiggin	Eliphalet Wiggin	Matthew Tomson
Jonah Dearbun	Beniamin Cotton	Satchwel Clark
Edward Fifeald	John Stockbridg	Joseph Fifeald
Thomas Wrolings	Thomas More	John Dearbun
Isaac Foss	Ebenezer Foulsum	David Robinson
Walter Wiggin	Thomas Reanols	Ephraim Green
John Speed	Owen Reanols	Jeames Keniston
Benjamin Jones	Edward Mason	Andrew French
Richard Palmer	Beniamin Mason	John Wiggin
Richard Seamun	Thomas Veasai	John Wiggin, jun.
William French jun.	Joseph Jewit	William Burly
Thomas French	Caleb Wrowlings	Richard Croket
Bradstreet French	Joseph Lawrence	Thomas Foss
Joseph Mason	Beniamn Tailer	Isaac Foss jun.
Richard Wichar	Joseph Hoit	John Avery
David Jewill	Jonathan Chase	Moses Kenniston
Samuel Piper	Beniamin Palmer	Solomon Cotton
Samuel Piper jun.	Joseph Smith	David Huneford
Nathaniel White	Abraham Morgin	Richard Crocket jun.
Thomas Wiggin, jun.	Tuftin Wiggin	
Josiah Parsons	William Corly	
	John Brackett	

Province of N. Hamp^{r}.

In the House of Representatives Augst 22^{d} 1746.

Voted That ye Petitioners be heard on their Petition ye second day of the setting of ye Genl Assembly after ye fifteenth Day of Sep^{t} next at ten o'clock A. M. & that ye Petitioners at their own cost serve ye Selectmen of Stratham with a copy of this Petition & this order of Court that they may shew cause if any they have why ye Prayer of the Petition should not be granted.

D. Peirce, Clk.

In Council Eod^{m} Die read & concurred

Theodore Atkinson Sec^{y}.

Eod^{m} Die assented to

B. Wentworth.

The Petition of Bradbury Green & sundry others soldiers under Capt. Prescott who were charged with guns &c. & never had them Delivered &c. read & sent Down.

The Petition of Sarah Jackson setting forth that her Husband was kill'd at the siege of Louisbourg & Praying the favour of the Court in an allowance read & sent Down.

Adjourn'd till to morrow 11 o'clock A. M.

Thursday December the 4th 1746. Met according to adjournment.

Present [as before.]

Mr. Levit from the House bro't up Capt. Bell's List of Labourers at the Fort Wm & Mary with the House's vote thereon ordering Payment out of the Interest of the £25000 appropriated for that service.

Mr. Sanburn from the House bro't up Benª Pittmans Acc^t of Expresses with a vote of the House for an allowance thereon which was read at the board & concurr'd and assented to by the Governour.

Capt. Chesley from the House bro't up an acc^t of Solomon Smith for going Express to Kingstown & vote of the House thereon for an allowance which was read at the board & concurr'd and assented to by the Governour.

Mr. Jennes from the House bro't up the Petition of Wm. French & others Inhabitants of Stratham as Entred yesterday & vote of the House thereon ordering the adverse Party to be notified and [P. 449.] appointing a Day for a hearing thereon which was read at the board & concurr'd and assented to by the Govern^r.

Adjourned till to morrow 10 o'clock A. M.

Fryday, December the 5th 1746. Met according to adjournment.

Present [as before except] Sampson Sheaffe, Esq.

The Petition of Joshua Brecket & Sundry others togeather with three other Petitions Praying the Lycence of the General Assembly to Build a Bridge cross Exeter river from Newmarket to Stratham &c. all read at the board and sent down to the House.

Messrs. Macmurphy & Jennes from the House bro't up the muster rolls of the following officers for service Done in Scouting & guarding the frontiers, viz.

Two muster rolls of Capt. Clough
One Do. of Tho's Willee
One Do. of Jethro Person
One Do. of Jonª Conner
One Do. of John Thompson
One Do. of Saml Randall
One Do. of Joseph Seias
One Do. of Saml Heard
One Do. of Eben^r Light
One Do. of Nathl Drake
One Do. of Joseph Sanburn
One Do. of Jonª Towle.
Alsoe one Do. for Two men at Goffs Garrison.

All which rolls and the votes of the House thereon for allowing the same (each of which rolls being Examined at the board) & the votes thereon were read & concurr'd.

[P. 450.] His Excelency Delivered the House's Answer to his Speech of the 2d Inst. to the Secretary & ordered the same to be read at the board and filed & is as follows, viz.

Province of New Hampshire

In the House of Representatives.

The House's Answer to his Excelency the Governours Speach of the 2d instant.

May it Please your Excellency,

The House haveing your Excelency's Speach to both Houses, of the 2d Inst. now before them do return your Excelency our most hearty thanks for your Excelencies care and unwearied Pains in strengthening the works at his Majtys fort William & Mary and Permitting such as voluntaryly and at their own cost offered themselves for that service to assist in Errecting such additional Batterys as were necessary for makeing the new Cannon lately sent by his most Gracious Majesty useful & serviceable in case of an attack which we had so much reason to expect from the powerfull French Fleet lately in these seas and when the accts of the necessary expence on that Emergency are laid before the Generall Assembly we hope for a chearful unanimity in Doing what may appear to be just & Honourable with respect to them.

We alsoe thank your Excelency for ordring his Majesties new raised Troops to assemble at New Castle which (as it was for his Majesties service and had a Tendency to promote the safety of his Majesties subjects) was agreeable to the mind of this House and we hope the buildings your Excelency was Pleased to Errect on that occasion will answer the End of Barracks for more than two hundred & fifty men till the Prov. is in better circumstances to build others and we are of opinion that the grants allready made by the General Assembly are sufficient for the subsisting &c. of such of the voluntiers Inlisted in his Majesties service for the Expedition against Canada as your Excelency shall think it for his Majesties Interest or service to order upon Duty—and agreeable to the votes of this house we Pray your Excelency [P. 451.] would be pleas'd to Direct that a List of the men's names with the time of each mans Enlistment should be laid before the House for without that how can we make any further Provision for the billeting or know when we have sufficiently Provided—Besides we have heard of some Pernicious & unwarrantable Practices of some of the recruiting officers which ought to be Enquired into & without such List how can we come at the Truth.

We are sorry if our agent has any reason to complain for want of the accounts relateing to the Expedition against Louisbourg the several votes of this House sent up the Honble Board relating to these accts will shew how Desireous we have been to have them finished and Transmitted and we now hope that all the branches & every Person concern'd will joyn their hearty Endeavour to have them forthwith compleated.

The several votes of the General Assembly relateing to the fifteen thousand Pound Loan have not been duely complyed with by the Comittee we do not know what further aid they can want from the General Assembly are ready to do all in our Power and are of oppinion that the Comittee ought to be Imediately required to settle & finish that affair.

It would be very pleasing to the House to have the Treasurers accounts laid before us in order for a speedy settlement of them that thereby we may come at a True State of the Province and be the better Enabled to act on the other Paragraphs in your Excelencies speach relateing to the 180 bbls of Gun Powder and chusing a Comittee to correspond with the agent which we have now under consideration and do assure your Excelency that it is the general Disposition of this House to do every thing in our Power towards your Ex-

celencies generous support which may appear to be either just or Honourable nay we think we can goe further & say with great sincerity that we are heartyly Disposed to Do every thing in our Power consistant with his Majestys Honour and the best good of his faithful subjects whom we represent that may tend to make your Excelencies life easey & happy both in Time & to Eternity & wish it was in our Power (without greatly Distressing our constituents in the most calamitous Season of the most Expensive War the Province ever felt) to make greater additions to your Excelencies Sallary than your Excelency could either Desire or wish but under the Present scituation [p. 452.] of affairs when the Province is loaded with such heavy Debts so vastly surpassing any things in time past what shall we say? We hope we Pray that we may be Directed and Enabled to Do justice to your Excelency & our constituants.

If your Excelency has any Letters from Mr. Agent Thomlinson relateing to the matters mentioned in your Excelencies Speach it would be a satisfaction to the House to have them before them.

We conclude with our earnest Desire for your Excelencys aid and assistance in Promoting unanimity & Dispatch in all the affairs of this session & may that glorious God who has lately wrought out for his People of New England so marvelous and remarkable a Deliverance be still our mighty Protector & Deliverer, may he by whom Kings reign & Princes Decree Justice be always at your Excelencys right hand to Council advise & help your Excelency to bear the heavy weight of Government, may he make your Excelencies Life and administration Long & happy,—Happy for your Excelency, Happy for his People and when this Life with all the Hon^rs of it shall fade away may your Excelency enjoy an unfadeing Crown of Glory at his right hand where there are rivers of Pleasure forevermore.

Ebenez^r Stevens, Speaker.

Adjourned till to morrow 10 o'clock A. M.

Several Paragraphs of John Thomlinsons Esqrs. Letters to his Excellency the Governour which the Assembly Desire may be laid before them.

[Copied from MS. Corr., in Secretary's office, Vol. I, p. 303.]

London May 1st 1746.

Sir —

I have been a long time without any of yours, and I am the more surprised at it, as the Province of the Massachusetts have so long since sent home their agent with all their accounts and other Papers to sollicit for reimbursement of the charge they have been at in the reduction of Cape Breton, and the Provinces of Connecticut and Rhode Island, have sent home their accounts, papers and proper vouchers to their agents, and will be included in this application to his Majesty, and it is likely to the Parliament, and undoubtedly will succeed, and you shut out, and with what grace can you come afterward and be at the Trouble and vast Expence of a seperate proceeding and not succeed at last.

We have lately been obliged to be at the Expence of two hearings before Committees of Councils on Thomas Hutchinsons Petitions and got them dismist so that affair is at an end, for when the most sanguine of the Gentlemen hear from their friends here, how Ridiculous this attempt appear'd to be, they will not be fool hardy enough to make any future attempts of the like nature.

As soon as I can get Mr. Parris's Bills I shall send you the Province's Accounts and hope you will Enable me to balance it, and then I will shut it up for good, for I will not have any more to do as agent for your Province or any other Province in America, I have not time. I hope you have deliver'd the Gun Powder to Mr. Charles Apthorp, or paid for it in the manner I have Directed. I shall be glad of that being done and am &c.

John Thomlinson.

London, May 8th 1746.

Sir,

Last night I receiv'd of Capt. Peter River a Pacquet inclosing an address to his Majesty and a memorial to his Majesty in Council, with a short Letter from the Committee and a vote with a Desire that I may present the same, and humbly sollicit his Majesties Royal bounty in repaying the great charge the Province has been at in the expedition for the reduction of Louisbourg, and To morrow I shall deliver the address and memorial. But for God's sake what am I to sollicit for, is there any sum mentioned to me, have any accounts been sent as the other Provinces have sent to their agents — all that I can Possibly do will be to keep your claim alive, untill I have your accounts, for any body of common sense must know, that when any sum of Public money is given and appropriated it is a certain stipulated sum. I should be glad to do every thing in my power for the Province, but if you will not put it in my power to serve you, you must blame yourselves. I can only pity you, and am, &c.

John Thomlinson.

London, 20th September 1746.

Sir —

I must acknowledge the receipt of two of your favours the last of the 6th June in which was inclosed a Letter to his Grace the Duke of New Castle wch I have Deliver'd, your former letter surprises me, wherein you say, you want an order to deliver me the Gun Powder you had by Hammond, you know I have paid for it a year since, and have proper receipts for the same, and at the same time that I paid for it acquainted the office that I should take it to my proper account, but as you say you want an order to deliver me my own Powder, if this ship had not gone so unexpectedly suddain, you should have had an order and if that order had not been sufficient you should have had an order from his Majesty in Councill although I hope for your own sakes, you will not oblige me to sollicit for such an order.

There is another affair, and which I have all along thought to have wrote you on, which is this: I have paid the powder money at your Post ever since your powder act, and I am informed that the agents of all the Colonies are allways Exempted from that charge, being deemed intituled to all and every exemption and priviledges that any of the Inhabitants of such Colonies are intituled to, and therefore in common Justice I think you ought to refund me all I have already paid, and also in future Exempt my ships or concern in ships from the like charges so long as I shall continue your agent.

Pray let me have proper accounts of the Province disbursements, and all charges of your concern in the Expedition of Louisbourg, as I have formerly wrote you that you may not be the only Province that may be unpaid, if so, you may thank yourselves. I cannot add only that I am &c.

John Thomlinson.

Gentlemen of the Council & of the Assembly,

The foregoing is extracted from Mr. Thomlinsons letters to me, which the Assembly desired I would communicate to the House, to which I have added what relates the Public in a late letter from the same Gentn of the 20th Sept. which should have been addressed me.

B. Wentworth.

Council Chamber in Portsmo Decr 8th 1746.

At a Council & General Assembly holden at Portsmouth according to adjournment on Saturday December the 6th 1746.

Present

Jotham Odiorne Henry Sherburne Ellis Huske Theodore Atkinson Richd Wibird	Esqs.	Saml Smith John Downing Saml Solley Sampson Sheaffe	Esqs.

[p. 453.] Capt. Gillman from the House bro't up a vote of the House for furnishing out of the Treasury Coll. Gillman with Two hundred Pounds & John Gage Esq. one hundred & Twenty five Pounds to Purchase Provisions for the scouts Imployed in guarding the frontiers which was read & Laid upon the Table.

Capt. Levet from the House bro't up the Muster roll of Capt. John Goffe & vote of the House thereon for Paying the same which was read at the board & concurr'd.

Alsoe a vote of allowance to Thomas Greer for going Express to Londonderry which was read at the board & concurrd.

The Petition of Samuel Adams Praying a longer time may be allowed for building a bridge over Suncook than mentioned in the vote for building sd Bridge read at the board & sent down.

Adjourned by his Excelencies order to Monday next 12 o'clock at noon.

Monday the 8th of December 1746. Met according to adjournment.

Present [Councilors as before, also]

George Jaffrey, Esq.

Adjourned — again to

Tuesday December 9th 1746.

Present [Councilors, as before.]

[p. 454.] Mr. Jennes from the House bro't up the Petition of Joshua Bracket and others relateing to the building a bridge cross Exeter river &c. and a vote of the house thereon for advertising in the public prints the substance of the Petition and assigning a day for a hearing in case any body should be inclined to make any opposition.

Alsoe a vote of the House appointing a Committee to Purchase Mason's claim to Part of this Province agreeable to a former vote.

Major Davis from the House bro't up the following Papers &c.:

A vote for appointing a Comittee to build a bridge over Suncook river which was read at the board & concurr'd.

An acct of Matthew Livermore Esq. Drawing Acts &c. & vote of allowance thereon read at the board & concurr'd.

Alsoe an acc^{t} of John Lad going Express sundry times and vote of allowance thereon read at the board & concurred.

Adjourned till tomorrow 10 o'clock A. M.

Wednesday, December 10th 1746. Met according to adjournment.

Present his Excelency the Governour

Jotham Odiorne	Esqs.	Richd Wibird	Esqs.
Henry Sherburne		Saml Smith	
Ellis Huske		John Downing	
Theod. Atkinson		Saml Solley	
		Sampson Sheaffe	

Mr. Giddings from the House brot up a muster roll of Capt. Israel Bartlett for men Posted at Nottingham & vote of the House thereon allowing the same which was read at the board & concurr'd & assented to by the Governour.

Alsoe an acc^{t} of Charles Drew for service in carrying Capt. Goffs men up the river with the House's vote of allowance thereon which was read & concurr'd.

His Excelency gave his assent to the several muster rolls & votes of the House that were concurred the 5th & 6th Insts.

[P. 455.] Mr. Giddings from the House bro't up a vote requiring the several Comittees employed in the Louisbourg Expedition to prepare their acc^{ts} in order to their being transmitted to the agent & for giving the agent thanks for his services in the affair of Mr. Hutchinson's Petition &c., which was read & concurr'd at the board.

Adjourned till tomorrow 10 o'clock A. M.

Thursday December the 11th 1746. Met according to adjournment.

Present [as before.]

His Excelency gave his assent to the several votes of Assembly Past this sessions.

The Petition of William Jameson & others Praying the aid of the Genl Assembly in their Town affairs relateing to their Town meeting calling & settling a minister &c. read at the board and sent Down.

Adjourned till to morrow 10 o'clock A. M.

Fryday December 12th 1746. Met according to adjournment.

Present [as before, also]

George Jaffrey Esq.

The Council took under consideration the vote of the House of the 5th inst. for Paying of Coll. Gilmans & Capt. Gages a sum of money for Purchasing Provisions &c. & non concurr'd the same.

Adjourned till tomorrow 10 o'clock A. M.

Saturday December the 13th 1746. Met according to adjournment.

Present [as before.]

[P. 456.] Mr. Levit from the House bro't up the acct of the clerk of the House for sundy books Papers &c. & vote of allowance thereon which was read at the board & concurr'd and assented to by the Governr.

Alsoe a vote for the Canada comittee of war to supply his Excellencies orders with such things as may be wanting & snow shoes &c. which was read & concurred and assented to by the Governour.

Alsoe a vote for paying one thousand Pounds to his Excelency to make up the Deficiency in his Excelency's sallary on acct of the Depreciation of the Paper money which was read and concurr'd at the board.

Alsoe the acct of sundy artificers for work Don at Cumberland Battery and votes of allowances thereon read & concurr'd and assented to by the Governour.

Alsoe an acct of the Comittee for Impressing the money struck for carrying on the Canada Expedition & vote of allowance thereon read & concurr'd & assented to by the Governour.

Coll. Gillman from the House brot up a vote for the Purchasing 500 bbls Pork for Canada Expedition read & Laid on the Table.

Also Joseph Hanson's acct for sundys supplied Majr Davis Company & vote of allowance thereon read and concurr'd and assented to by the Governour.

Alsoe an acct of Saml Huntress for gundaloe hire at N. Castle & vote of allowance thereon read & concurr'd and assented to by the Governour.

Alsoe an acct of the Comittee making up muster rolls & vote of allowance thereon read & concurr'd & assented to by the Governour.

His Excelency adjourned the General Assembly till Tuesday the 20th Jany next at 10 o'clock A. M.

[P. 457.] At a Council & General Assembly holden at Portsmouth according to adjournment on Tuesday the 20th Jany 1746-[7.]

Present

Jotham Odiorne Henry Sherburne Ellis Huske Theodore Atkinson	Esqs.	Richd Wibird Saml Smith John Downing Saml Solley Sampson Sheaffe	Esqs.

There not being a Quorum of the House adjourned by his Excelencies order till to morrow 10 o'clock A. M.

Wednesday Jany 21, 1746 — Met according to adjournment.

Present [Councilors as before.]

Mr. Israel Gillman from the House bro't up a vote for allowance to Saml Cate going Express to Boston which was read at the board & concurr'd.

Adjourned till to morrow 10 o'clock A. M.

Thursday Jany 22, 1746— Met according to adjournment.

Present [as before, except] Saml Smith Esq.

A Petition of sundry Persons Inhabitants of Kingstown Praying to have a road chang'd &c. read at the board & sent Down to the House.

Adjourned till to morrow ten o'clock A. M.

Fryday Jany 23d 1746 — Met according to adjournment.

Present His Excelency the Governour.

[P. 458.] [Councilors as before.]

His Excelency sent the Secretary to the House to acquaint them that he last Night recd their message relating to the soldiers now in his Majesties Pay that deserted from their officers at Winnipissoca Pond in such a mutinous manner as was set forth in the Letters from the sd officers there which sd Letters he had sent to the House the 21 Inst for their Perusal & Information, and Desired in a message that some Act or Law might be Pass'd to prevent such mutiny & Discords for the future -- to which the House sent the following answer, viz. That the House tho't the Laws now in force were sufficient for answering the End proposed.

Upon which his Excelency sent the Secretary to the House to

Desire they would point out the Laws referr'd to in the s^d Message or that they would Pass such Laws as might answer the End and at the same time sent a copy of his Maj^ty's (66) Instruction to him with Directions to leave the same with the Speaker which was accordingly Done.

Doctor March from the House bro't up the several acc^ts of Coll. Gillman Maj^r Stevens Mr. Giddings & Col. Smith for taking care of snow shoes with votes of the House thereon for allowances which were all read at the board & concurr'd.

Mr. Jennes from the House bro't up a vote for choice of a Comittee to joyn a Comittee of Council for settling the acc^t of the sloop Speedwell Capt. Philip Read master Employed by this Province in carrying French prisoners to France which was read & concurred & a Comittee added.

Adjourned till tomorrow 10 o'clock A. M.

Saturday Jany 24th 1746 — Met according to adjournment.

Present his Excelency the Governour.

[Names of Councilors not entered.]

[P. 459.] His Excelency sent the Secretary to the House with a written Mess^a relating to the soldiers Deserting at Winnipisseoccee Pond (1) &c. and also Capt. Read's orders on his voyage to France together with a copy of the Letter wrote by his Excelency to the agent about that affair.

Mr. Levit from the House bro't up the muster roll of Sergeant John Foulsom for scouting above Epping & vote of the House for an allowance thereon which was read at the board & ordered to Lay for further consideration.

Alsoe an acc^t of Charles Hoit for sundrys advanced for the Governours Boat Landing Powder &c. & a vote of the House allowing the same thereon which was read & concurr'd.

Mr. Jennes from the House bro't up a muster Roll of Capt. Daniel Lad scouting at Canterbury &c. (2) and vote of the House thereon for allowing Part of the sum charged in the s^d roll which was read & concurr'd.

The Council sent a message to the House by Saml Smith Esq. to Enquire if any thing would be sent up who return'd that the speaker Informed they had nothing.

Adjourned by his Excelency's order to Tuesday the 31st day of March next 1747, at 12 o'clock, at noon.

(1) See the Governor's Message in "Journal of the House," p. 480. The orders to Capt. Read, & his Excellency's Letter cannot now be found.—Ed.

(2) See this muster roll in "Potter's Mil. Hist." Adj. Gen. Report, 1866, Vol. 2, p. 94, with some account of the massacre at Concord, Aug. 11th, 1746. See also "Bouton's Hist. of Concord," pp. 157-174.—Ed.

Province of New Hampshire.

At a Council & General Assembly holden at Portsmouth on a special Convention by Circular Letters to the respective members of both Houses on Wednesday March the 11th 1746 [7.]

Present his Excelency the Governour.

George Jaffrey	Esqs.	Rich[d] Wibird	Esqs.
Jotham Odiorne		Sam[l] Smith	
Henry Sherburne		John Downing	
Ellis Huske		Sam[l] Solley	
Theodore Atkinson		Sampson Sheaffe	

His Excelency sent the Secretary to the House with a written Mess[a] which being read at the General board is as follows, viz.

[P. 460.] *Gentlemen of the Assembly*

My sole motive for this special Convention is to acquaint you of the Defeat of his Maj[tys] Troops at Menis (1) in which New Hampshire (had it not been for Lieut. Pickerings ill state of health) would have suffered no loss. Lieut. Governour Maskerene having in consequence of my orders Directed that the New Hampshire Detachment should return to Annapolis at the time I had limited,—And to lay before the General Assembly the applycation of Governour Shirley for a further reinforcement for the Defence of his Maj[tys] Government at Nova Scotia with what relates to s[d] applycation to which I have tho't Proper to add Governour Mascrene's Letter to me of the 11th of December past owning the obligations he is under to New Hampshire for the assistance afforded him the last Fall(2).

As this matter is so Imediately for his Maj[tys] service I hope for your chearful & ready assistance to enable me to give the necessary Despatch to such a number of the Kings troops as may be agreed upon by the General Assembly for this service.

B. WENTWORTH.

Council Chamber in Portsm[o]
March 11th 1746—

Adjourned till tomorrow at 10 o'clock A. M.

Convention met again, according to adjournment on Thursday March 12th 1746—

Present his Excelency the Governour.

George Jaffrey	Esqs.	Rich[d] Wibird	Esqs.
Jotham Odiorne		Sam[l] Smith	
Henry Sherburne		John Downing	
Theod. Atkinson		Sam[l] Solley	
Ellis Huske		Sampson Sheaffe	

His Excelency sent the Secretary to the House with an Extract

(1) Menis or Minas was a town or district in Nova Scotia, where, on the 31st of January, 1747, the Massachusetts troops, in particular, being surprised in the midst of a snow-storm by a superior French force, were defeated and obliged to capitulate. The commander, Col. Arthur Noble, and about sixty men, were killed and fifty wounded. [*See Farm. Belk. Hist. N. H., pp.* 284-5.]—ED.

(2) This letter cannot be found.—ED.

of a Letter from Governour Maskerene (1) Dated Annapolis Royal the 21 Feby last relateing to the affairs of that Government.

[P. 461.] And alsoe a Letter from Governour Shirley of the 10th Instant relateing to the affairs at Nova Scotia (2).

The Petition of Capt. Ebenezer Eastman Praying for some assistance of soldiers in the Plantation of Pennycook, read & sent Down to the House.

[The following is a copy of said Petition.]

To His Excellency Benning Wentworth Esqr. Governor and Commander in Chief and Captain General in and over his Majestys Province of New Hampshire,

The Honorable his Majestys Council for said Province and the House of Representatives met on the twelfth day of March 1746 upon a special Convention.

The Petition of Ebenezer Eastman of Penny Cook so called in s^d Province in behalf of himself and the other Inhabitants there most humbly shews—That they are in great danger of and much exposed unto the Indian Enemy and are in daily fear that they shall be attacked by them and such a number as will be too many for them unless they have some help—That the Inhabitants there are about to quit the Place unless they can be protected—That on Saturday night last, being the Eighth day of March Inst. there was a discovery of an Indian near Canterbury Fort, which has caused much fear and an apprehension that there is a Body of the Enemy waiting an opportunity to do mischief.

Wherefore your Petitioner most humbly Prays your Excellency and Honours to consider of this Petition and to grant such Relief as in your great wisdom you shall Judge meet and proper and your Petitioner as in duty bound shall ever Pray &c.

Ebenezer Eastman.

March 12th 1746—

Province N. Hamp. March 12th 1746—

In council at a special session of Gen^ll Assembly read & ordered to be sent down to the Conven'd members.

Theodore Atkinson.

His Excelency laid before the board a written Message from ye House in answer to his Mess^a of yesterday and is as follows, viz.

House's Answer.

Province of New Hampshire

At a convention of the members of the House of Representatives March 12th 1746–7.

Voted That the following be sent to his Excelency in answer to his Message of yesterday, viz.

(1) JOHN PAUL MASCARENE was of French descent, born in 1684. His father was a Huguenot, who was driven from France by the edict of Nantes. At the age of twelve, young Mascarene made his way to Geneva, where he was educated; then went to England, was naturalized in 1706; accompanied troops sent to America in 1711, and was employed in Nova Scotia; gradually rising in office and authority, he became Lieut. Governour of Nova Scotia in 1740 and till 1749. He was succeeded by Gov. Cornwallis, but was a member of his Council. In 1750 he resigned, on account of advanced age, when he received a Commission of Colonel, to rank as such in the army, and retired with his family to Boston, of which city his wife, Elizabeth Perry, was a native, and where he died on the 22d of January, 1760. [*N. E. Hist. & Gen. Reg., Vol.* 9, *p.* 239.]—ED.

(2) See this Letter in the "Shirley Papers," No. 55.

May it Please your Excelency,

The convened members do not think they have any thing to do to order the Kings Troops; We are sensable tis of the greatest importance that his Maj^{tys} fortress at Annapolis Royal should be Preserved from falling into the hands of the Enemy as it seems by what Governor Shirley writes he Proposes the Drawing of Bills to defray the charge of the armament he intends to send to the assistance of that fortress and the Government are not concerned in it so if your Excelency shall think it best to send assistance there at this time and the Expence can be paid by Drawing Bills, we hope your Excelency will will think that the best way.

Daniel Peirce, Cl'k H. Repr.

His Excelency alsoe laid before the Board the House's desire that his Excelency would cause to be Inlisted or Impressed 25 good effective men to scout on the Western side of Merrimack river near to Pennycook &c.

And alsoe in case he should draw the forces from Winnipisseoce Pond that he would order 20 men as above to scout above Rochester.

His Excelency sent the Secretary to the House to Desire they would signify to him their approbation of his Drawing money out of the Treasury for cloathing the Canada Voluntiers or Paying those that found themselves agreeable to the Proclamation.

[p. 462.] And alsoe to Inform the House that he tho't it proper that Col. Wallingford who by vote was appointed to goe to Connecticut to purchase Provisions for the Canada Expedition might be directed to proceed on that affair.

To which the Speaker after the House had considered on the subject matter of the s^{d} Messages returned for answer That as to the Cloaths &c. they should meet soon on the Day the House stood adjourned and then if it was necessary they could act but at this time they did not think they could with propriety.

As to the latter part of the message the sending Coll. Wallingford to Connecticut they tho't the vote of Assembly sufficient to answer the End proposed by his Excelency.

Then the Secretary by the Governour's order acquainted the House that his Excelency had nothing further to lay before them.

At a Council & General Assembly holden at Portsm^{o} according to adjournment on Tuesday the 31st of March 1747 from the 24th of Jany Last.

Present

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Odiorne		John Downing	
Ellis Huske		Saml Solley	
Theod^{r} Atkinson		Sampson Sheaffe	

His Excelency sent the Secretary to the House with a letter he rec^{d} from Robt Auchmuty Esq. as Judge of his Maj^{tys} court of Admiralty relateing to the sloop Speedwell, Capt. Read master Im-

ployed by this Government on a voyage to France with Prisoners &c. togeather with all the proceedings of the s^d Court with regard to the s^d Sloop — which Papers were left with the House.

Adjourned till tomorrow 10 o'clock A. M.

Wednesday, April the 1st 1747. Met according to adjournment.

[P. 463.] Present

[Councilors as before.]

A Petition of Samuel Cummins in behalf of the Town of Hollis Praying to be enabled to Tax the lands of the non resident Proprietors towards building a meeting house &c. read and sent down.

Copy of said Petition.

[Copied from Papers in Secretary's Office — "Towns" Vol. III, p. 309.]

Province of New Hamp^r.

To his Excellency Benning Wentworth, Esq. Govr &c. the Hon^l his Maj^ys Council & House of Represent^s in Genl Assembly convened, March 31st 1747.

The Petition of Saml Cumings in behalf of the Town of Hollis Humbly sheweth—

That the s^d Town has lately settled a minister (1) and are now a building a meeting house for the publick worship of God there.

That the settlers of s^d Town has but lately entered thereon, and altho' considerable progress in Agriculture has been made (the only way we have for our support) yet find these charges very burdensome.

That a considerable part of the best lands in s^d Town belong to Non resident Prop^rs who make no improvement.

That by the arduous beginning the settlement & heavy charges by us already paid has greatly advanced their Land, & they are still rising in value equal as the Resident Prop^rs tho' the charges hitherto and for the future must lye on ye settlers only unless we obtain the assistance of this Honble Court.

Wherefore your Pete^r most humbly Prays that y^r Excell^y and Hon^rs would take the premises into your consideration and grant that the whole of the lands in s^d townships may be taxed annually for five years next coming two pence new tennor pr. acre to be applyed for the support of the minister & finishing ye meeting house, and by Law Enabling to Collect the same & y^r Pet^r as in duty bound shall pray &c.

Samuel Cumings.

In Council April 1, 1747, read & sent down to the House.

Theodore Atkinson, Sec^y.

Alsoe the Petition of Daniel Lad Praying the consideration of the Assembly in allowing him something for his trouble & Loss while in the service at Canterbury &c read and sent down.

(1) The first settlement in Hollis was made in 1731, by Capt. Peter Powers. The town was incorporated April 3, 1746. A Congregational church was formed in 1743, and Rev. Daniel Emerson, from Reading, Ms., who graduated at Harvard College in 1739, was ordained pastor, April 20, 1743. He died Sept. 30, 1801, aged 85. — Ed.

The Petition of John Rowell & 44 others Inhabitants of Epping Praying to be enabled to Tax non residents Land to the charge of a meeting-house mending high ways &c read and sent down.

Alsoe a Petition of Timothy Roberts & others Inhabitants of Rochester praying for soldiers in s^d^ Town read & sent down.

Adjourned till tomorrow 10 o'clock A. M.

Thursday, April 2^d^ 1747. Met according to adjournment.

Present

Jotham Odiorne	Esqs.	Richd Wibird	Esqs.
Ellis Huske		Saml Solley	
Theod. Atkinson		Sampson Sheaffe	

Mr. McMurphy from the House bro't up the Petition of Saml Cumins as Entred yesterday & vote of the House thereon appointing a Day for a hearing & ordring notifications in the mean time — which was read at the board & concurr'd & assented to by the Governour.

Mr. Giddings from the House bro't up the Petition of John Rowell &c. as Entred yesterday & vote of the House thereon appointing a Day for a hearing & ordring notifications in the mean time thereof which was read at the board & concurr'd and assented to by the Govern^r^.

[P. 463 (1).] Mr. Sandburne from the House bro't up a vote requiring the several Comittees forthwith to Lay their respective acc^ts^ respecting the Expedition against Louisbourg before the *the* Genl Assembly which was concurr'd at the board and assented to by the Governour.

Alsoe the Petition of sundry people at Kingstown Praying liberty to move by Exchange a high-way as Entred the 22^d^ Jany last & vote of the House thereon allowing the Petitioners Liberty to bring in a bill which was concurred at the board & assented to by the Governour.

Mr. Jennes from the House bro't up a vote confirming the Power granted a Comittee In July 1745 to settle all acc^ts^ relateing to the sloop Speedwell, Phillip Read master which vote was read at the board & concurr'd and assented to by the Governour.

The Petition of Henry Baldwin in behalf of the Town of Pelham Praying to be Enabled to Tax the non resident Proprietors Lands in s^d^ Town read at the board & sent Down.

Mr. Levit from the House bro't up the Petition of John Dudley as Entred yesterday about a highway and vote of the House thereón granting the same which was read at the board & concurr'd and assented to by the Governour.

(1) This is a mistake; it should be page 464.—Ed.

Alsoe an acc^{t} of James Osgood for charge in burying some of Capt. Lad's men killed by the Indians at Pennycook (1), with a vote of allowance thereon which was read & concurr'd & assented to by the Governour.

Adjourned till to morrow 10 o'clock A. M.

Fryday April the 3^{d} 1747. Met according to adjournment.

Present his Excelency the Governour.

Ellis Huske Theod. Atkinson Richd Wibird John Downing	Esqs.	Saml Smith Jno Downing Saml Solley Sampson Sheaffe	Esqs.

[P. 464.] Mr. Sanburn from the House bro't up the Petition of Henry Baldwin as Entred yesterday with a vote appointing a Day for a hearing thereon notifying the same &c. which was concurr'd at the board and assented to by the Governour.

Capt. Cate's muster roll for 5 men at Barrington read Examined and sent down.

His Excelency gave his assent to a vote of the Assembly for the Payment of Capt. Clough's muster roll and

To the vote of the Assembly for allowing Doctor Row's acc^{t} for administration to Joshua Prescott.

His Excelency sent a mess^{a} to the House by Mr. Wibird to acquaint them that he expected they would make a grant of subsistance to some more men at fort Wm & Mary.

Mr. Giddings from the House bro't up a vote Desiring his Excelency would give orders for Inlisting or Impressing 144 effective men to guard the frontiers the same to be exchanged once a month. To which his Excelency sent the following Message — That he tho't the exchanging the men so often would be hurtfull service chargeable to the Province. The House taking the same under consideration sent a mess^{a} that they adhered to the first vote.

Alsoe the muster roll of Capt. Cate as above this day and vote of House thereon allowing the same read at the board & concurr'd and assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

(1) See a full account of this massacre and burial, in "Bouton's Hist. of Concord," pp. 160-162.—Ed.

Saturday April 4th 1747. Met according to adjournment.

Present his Excelency the Governour.

Jotham Odiorne Ellis Huske Theod. Atkinson Richd Wibird	Esqs.	Saml Smith John Downing Saml Solley Sampson Sheaffe	Esqs.

[P. 465.] Mr. Sanburn from the House bro't up an Act for removing or altering a highway in Kingstown which was three times read at the board & concurred & assented to by the Governour.

Alsoe a vote for Impowering a Comittee in case of Invasion or an attack to move the Records of Deeds &c. to such place as they shall think most safe which was read at the board & Concurr'd and assented to by the Governour.

Mr. Jennes from the House bro't up a vote for the choice of a Comittee to examine carefully weither all soldiers in the Louisbourg Expedition have had their waiges & other allowances of General Assembly regularly paid to them which was read at the board & a Comittee added & concurred & assented to by the Governour.

The House's vote of yesterday for Impressing the 144 men for frontiers was taken again under consideration at the board & concurred & assented to by the Governour.

Adjourned by his Excelency's order to Tuesday the 14th Day of this Instant April.

Tuesday the 14th of April 1747. Met according to adjournment.

[Adjourned to Thursday the 23d of April. Inst.]

[P. 466] Met and again adjourned to Tuesday the 5th of May, at 10 o'clock A. M.

Met and again adjourned to Tuesday May the 12th 1747.

Met and adjourned "till tomorrow 10 o'clock, A. M."

At a Council & General Assembly holden at Portsmouth according to adjournment on Wednesday May 13th 1747.

Present—his Excelency the Governour.

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Odiorne		Saml Smith	
Henry Sherburne		John Downing	
Ellis Huske		Saml Solley	
Theod. Atkinson		Sampson Sheaffe	

The Petition of Moses Foster & others, Inhabitants at Suncook Praying for soldiers to guard their Plantations read & send Down.

Mr. McMurphy from the House bro't up the sd Petition of Foster & others & vote of the House thereon for granting Eight men to be posted at said Town—which was read at the board & concurr'd (1).

His Excelency laid before the board a Letter he recd from Majr Davis relateing to sundy stores taken by many persons from Winnipissioce Pond without leave & a List of the names of the Persons suspected to be the actors thereof which were all send Down to the House by the Secretary.

[P. 467.] Alsoe the Petition of the Selectmen of Gosport praying for warlike stores & soldiers to guard them &c. read & sent down.

Alsoe the Petition of the Inhabitants of the Town of Monson Praying for soldiers &c. read and sent down.

And alsoe the Petition of the Inhabitants of Sowhegan for soldiers to guard them read & send down.

Adjourn'd till to morrow 10 o'clock A. M.

Thursday May 14th 1747. Met according to adjournment.

Present [as before.]

The Petition of Eliot Vaughan & others Praying the Liberty to bring in a Bill Enabling the owners of a Tract of Land in Portsmo to make Partition of the same to & amongst the owners thereof Read & send Down.

Alsoe the Petition of Spencer Coleby a sailor in the Louisbourg Expedition setting forth that he was allowed only soldiers Pay &c. & Praying to have the mistake amended—read & sent Down.

Adjourned till to morrow 10 o'clock, A. M.

(1) A Petition from Moses Foster, of Suncook, for protection against the Indians, dated "June 20, 1744," is found in the Secretary's office, in Vol. 5, "Towns" p. 236. The petition brought up by Mr. McMurphy is another one, which cannot now be found.—Ed.

Fryday, May 15th 1747. Met according to adjournment.

Present

[All the Councilors as before.]

Mr. Jennes from the House bro't up a vote for granting a bounty of £100 for each Indian scalp & Captive taken &c. which was read & concurr'd & assented to by the Governour.

[p. 468.] And alsoe the several Petitions of sundy Persons for Liberty to build a bridge over Exeter river between Stratham & New Market and vote of the House thereon for granting the Prayer thereof & choosing a Comittee to view & ascertain the Place & granting Liberty to the Petitioners to bring in a Bill accordingly which was read at the board & concurr'd unanimously a Comittee added and assented to by the Governour.

Alsoe the acct of Doctor Ross for medicine & attendance on Edward Hopkins a voluntier in the Louisbourg Expedition & vote of allowance thereon which was read at the board & concurr'd & assented to by the Governour.

The Petition of Isaac Hanson & others of Rochester Praying for soldiers to guard them read & sent Down to the House.

The Petition of Mrs. Ann Frost Praying for some allowance for the use of her house for the Entertainment of soldiers when they were Posted at New Castle — read & sent Down.

Mr. MacMurphy from the House bro't up the Petition of Henry Baldwin & others as Entred the 2d of April last & vote of the House thereon granting Liberty to the Petitioners to bring in a Bill which was read at the Board & concurr'd and assented to by the Governour.

Alsoe the Petition of Samuel Cumins & others Inhabitants of Hollis as Entred the first of April last & vote of the House thereon granting Liberty to the Petitioners to bring in a Bill which was read at the Board & concurr'd and assented to by the Governour.

Mr. Sanburne from the House bro't up the Petition from the Inhabitants of Monson & Souhegan Praying for soldiers as Entred the 13 Inst & one vote for both allowing fifteen men — which was read at the board & concurr'd and assented to by the Governour.

Alsoe the Petition of the selectmen of Gosport as Entred the 13 Inst. Praying for warlike stores &c. & a vote of the House thereon for an allowance of £15 — which was read at the board and concurr'd & assented to by the Governour.

The Petition of Josiah Cumins & others of Nottingham West Praying some affairs transacted at a Town meeting there may be set aside — read at the Board & sent down to the House.

[p. 469.] Adjourned till to morrow 10 o'clock, A. M.

Saturday May the 16th 1747. Met according to adjournment.

Present his Excelency the Governour.

[Councilors as before.]

Mr. McMurphy from the House bro't up the roll of Capt. John Webster & 25 men scouting at Pennycook and vote for allowance thereon which was read at the board & concurr'd and assented to by the Governour.

And alsoe a vote for allowing the soldiers 2 : 6 pr month to find themselves with ammunition &c. which was read at the board & concurr'd and assented to by his Excelency the Governour.

And alsoe a resolve of the House that Mr. agent Thomlinsons ships now in this Harbour be Excused from Paying Powder money which was read at the board & concurr'd and assented to by the Govern[r].

Adjourned till Monday next 12 o'clock noon.

Monday May 18th 1747. Met according to adjournment.

Present

[Councilors as before, except] Sam[l] Smith, Esq.

[p. 470.] The Petition of David Eliot & Rich[d] Eliot minors Praying Liberty (by their Guardians) to sell their Parte of their fathers estate being about seven acres read & send Down to the House.

Adjourned till tomorrow 10 o'clock A. M.

Tuesday the 19th of May 1747. Met according to adjournment.

Present his Excelency the Governour.

[Councilors as before, also]

Samuel Smith, Esq.

His Excelency sent by the Secretary to the House a written Mess[a] & sundry other Papers.

[See Message in Journal of the House, p. 495.]

Order of his Excellency.

[Copied from MS. Corr. Vol. II, p. 11.]

Province of New Hampshire —

The respective persons that have by virtue of his Excellency's beating orpers raised *raised* Levies for the Canada Expedition and received money out of the Treasury for paying the bounty granted by the Government to such as should voluntarily Inlist into his Majestys service for said Expedition, are hereby required without delay to Exhibit to the Treasurer their receipts for the men they have severally inlisted, who will have orders to make good to

those the sum that falls short in conformity to their receipts, and those that have received an overplus are hereby strictly required to repay the same to the Treasurer aforesaid.

By the Governor's command,

Theodore Atkinson.

Portsmouth, May 19th, 1747.

Mr. Levet from the House bro't up a vote Desireing his Excelency would Direct the Treasurers Acc^ts^ to be laid before them.

Resolved, That Saml Smith Esq. agreeable to a vote of Assembly be allowed 3*d* pr mile for thirteen miles for each time he Travels to or from Court if the adjournment be longer than from Saturday to Monday.

Adjourned till tomorrow 10 o'clock A. M.

Wednesday May the 20th 1747. Met according to adjournment.

Present

[The Councilors as before.]

Mr. Gillman & Knight from the House bro't up a vote granting to Mr. Agent Thomlinson all Priviledges of Trade &c. (during his agency for this Province) that any of the Inhabitants of this Province have — which was read at the board & concurr'd unanimously.

[P. 471.] Major Davis from the House bro't up the Petition of Eliot Vaughan & others as Entred the 14th Instant & vote of the House thereon appointing a Day for a hearing & ordred advertisem^t^ thereof to be printed in the Publick News Papers & other Places.

Adjourned till to morrow 10 o'clock A. M.

Thursday May 21, 1747. Met according to adjournment.

Present his Excelency the Governour

[Councilors as before.]

The Petition of Charles Hoit Praying an allowance for Damages Don his gundaloe while in the service carrying Provisions to Dover &c. read & ordred to be Laid before the Comittee of war for the Canada Expedition & sent down to the House for concurrence.

His Excelency sent to the House by the Secretary a Paragraph of a Letter from Coll. Stoddard to Governour Shirley relateing to the six nations of Indians comeing into the Present War and alsoe a Letter from Governour Shirley Inclosing the same to his Excelency.

[The following are the aforesaid Documents copied from MS. "Belknap Papers" in Secretary's office, pp. 252, 253.]—Ed.

Extract from Colonel Stoddard's Letter to his Excellency Governor Shirley.

Northampton, May 13th 1747.

I send you the Letters lately received from Albany, by which your Excy will perceive that the six Nations are thoroughly engaged, and that most of them together with some others of their Allies are likely to join in our service; I think with your Excellency & the Council that the encouraging these Indians is a thing of great Importance.

The several Governmts have been endeavouring for near three years past to perswade those Tribes into a war wherein they had not any concern but to serve their friends, and they seem generally got into it, and have left their hunting & other means of living & exposed themselves & Families for our sakes, & can we expect they should fight for us, & devote themselves to that Service, & we suffer them to starve, or can we expect that they go a Warfare for us at their own charge, or can we expect that Colo Johnson & Mr. Lydius should pay the reckoning; They have taken a great deal of Pains to get the Indians into the war, & have effected more than the Governmts did in a course of years, & can it be thought that they should spend all their substance in rewarding the Indians for their service; It will cost them about 6 or £700 to fit out 100 men for war (in York money) as may be seen by Lydius Letter of March 26th and how many hundred will soon be out and how many times they will go out this summer, oth... can guess as well as I.

To let the Design drop now we have a hopeful Prospect of distressing our Enemy would be fatal, for the Indians may well say, as they often suspected before hand, that our design was to get them into the war, & then leave them in the Lurch; and then we should fail of their assistance, and no wonder if they should reconcile themselves to the French which they would be glad of, & then take Part with the French against us; for the Indians are of such a Humour that if we deal justly & kindly by them they will put their lives in our hands, but if we deal deceitfully with them, that will soon raise an abhorrence of us; Colo Johnson & Mr. Lydius are now under a necessity of going forward & fitting out the Indians so long as they have any substance remaining, & when that is gone the affair will be at an End.

Therefore I see no way but for the several Governmts to send supplies of money or goods to enable those Gentlemen to carry on the war; I think it altogether just that the several Governmts do contribute towards the charge, & doubt not but several of them would chearfully agree to it upon proper application being made to them; and 'tis probable that the money so expended would do us twenty times as much service as what we have heretofore expended in the war. Were it in my power I would send a thousand Pounds in our new Bills or in suitable goods to those Gentlemen for their present necessity. This would revive their drooping spirits (which are full of Expectations of being undone) & would greatly animate the Indians; such causes ought not to be starved for want of a little oyl to keep the wheels in motion.

Examined pr

J. Willard, Secy.

Boston, May 18th 1747.

Sir—

These are to inform your Excellency that by Dispatches I have received from Albany & Northampton, I find that the Indians of the Six Nations are generally spirited to go to war against the French of Canada, that divers Parties are now out & others daily offering themselves, which is a Point the Governments of New England (especially those of the Massachusetts & Connecticutt) have been labouring to carry ever since the first of the war, and if this spirit be duly cherished & properly managed & directed, it may, by the

blessing of God, prove of unspeakable Benefit for the safety of the Colonies. I refer your Excellency to an Extract from Col° Stoddard's Letter to me for a more particular account of this affair; only I would observe that Col° Johnson & Mr. Lidius whose Influence on the Indians has brought about this great Event, are under such Engagements as they are not able to fulfull without proper supplies from these Governments; and if for want of that the Indians should suffer any disappointment, it is more than probable that they will be disgusted at their being left in the Lurch by us, & will fall intirely into the interests of the French, which will be more fatal to these Colonies, than any thing that has yet befallen us. Now as there is no General Court in being in this Province, we can do nothing at present for the furnishing these Gentlemen; tho' our General Court have intrusted Mr. Lidius with this affair & have undertaken to supply him with a considerable sum for this service, & he has made his Draughts for the Payment, which will be done; but the Parties of Indians come so fast upon him & Mr. Johnson to be fitted out for this service, that what he will receive at present from this Governm^t will be a very inconsiderable part of what they are under engagements for; & the Gentlemen seem to apprehend that there is great Danger of their being ruined, & the common cause suffering the greatest Damage that we can conceive of unless they be relieved from these Governments.

I doubt not, Sir, but your General Assembly will in this critical conjuncture readily make proper supplies for the Encouragem^t of the Indians of the six Nations for prosecuting the War, & for keeping these Gentlemen in heart till an agreem^t may be made between the Governm^ts to apportion the charge that has arisen or may arise in this important affair, among ourselves; and I shall lay this matter before the General Court at their first meeting & am fully persuaded they will chearfully fall into all the measures necessary for promoting this important Interest. You will please to lay these matters before your Assembly as soon as possible, & let me know their Resolultions on this affair.

I am with great regard, Sir,
your Excellencys most
obedient, Humble serv't,
W. SHIRLEY.

P. S. I shall write to your Exc^y fully upon other matters by next post.
W. S.

His Exc^y Benning Wentworth, Esq.

Indorsed—"Govr Shirley on the
Six Nations, &c. May 18, 1747."

Major Davis from the House bro't up a vote Desireing his Excelency would order the Enlisting of 40 men to be Impressed 10 Days at the Fort under Proper officers to learn the exercise of the cannon there.

And alsoe a vote for building barracks for accommodating sixty men at Fort Wm & Mary the charge to be taken out of the Interest appointed for repairs of the s^d Fort by the £25000 Loan act.

Adjourned till tomorrow 10 o'clock A. M.

Fryday May 22d 1747. Met according to adjournment.

Present [as before.]

[P. 472.] Mr. Chesley from the House bro't up the following Papers & votes, viz.

The Petition of the Inhabitants of Epping as Entered the first of April last about taxing the Land there &c. & vote of the House thereon, Granting the Prayer thereof read & concurred and assented to by the Governour.

Alsoe the Petition of Josiah Cumins as Entered the 15th Inst. relateing to a Town meeting at Nottingham West & vote of the House granting a hearing thereon & setting a day & notifying the Contr Party &c. read & concurred & assented by the Governour.

Alsoe an acct of Capt. Bell for sundy expences at the Fort Wm & Mary & vote of allowance thereon read & concurr'd & assented to by the Governour.

A muster roll of James Guppee for service in Scouting at Rochester and vote of the House thereon read & concurred and assented to by the Governour.

Alsoe an allowance to John Grow as an Express to Dover & Durham &c. & vote thereon read & concurred & assented to by the Governour.

Mr. Giddings from the House bro't up a vote for remitting out of the Province Treasury to Coll. Johnson & Mr. Lydius the sum of £200 for fitting out a number of the Six Nations of Indians agst his Majesties Enemies &c. sent back for an amendment.

Adjourned till tomorrow 10 o'clock A. M.

Saturday May 23d 1747. Met according to adjournment.

Present [as before.]

[P. 473.] Mr. Levit from the House bro't up the acct of Collonel Peter Gillman for billeting money & Provisions for sundry scouts &c. on the frontiers and vote of the House for allowance.

Also the accts of Capt. Thos Bell for sundry charges to the voluntiers, buildg fusheen Batterys & for materials &c. & vote of the House thereon for an allowance.

Major Davis from the House bro't up again the vote for remitting out of the Treasury £200 to Messrs Johnson & Lydius as Entered yesterday & sent Down for an amendment with an adition to the sd vote of £50 which read at the board & concurred & assented to by the Governour.

Adjourned till Tuesday next 10 o'clock A. M.

At a Council & General Assembly holden at Portsm° according to adjournment on Tuesday May 26, 1747.

George Jaffrey	Esqs.	Sam[l] Smith	Esqs.
Jotham Odiorne		John Downing	
Henry Sherburne		Sampson Sheaffe	
Theod. Atkinson			

Adjourned till tomorrow 10 o'clock A. M.

Wednesday May 27, 1747. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey	Esqs.	Rich[d] Wibird	Esqs.
Jotham Ordiorne		Sam[l] Smith	
Henry Sherburne		John Downing	
Ellis Huske		Sam[l] Solley	
Theod. Atkinson		Samp. Sheaffe	

The Governour sent the following Mess[a] by the Secretary to the House, viz. That what money he shall Draw out of the Treasury for Defraying the Expence of the forces sent to the relieff of his Maj[tys] Garrison of Annapolis royal may be put upon the same footing that the money he shall draw out for arming & cloathing the Canada voluntiers & that he expects no other fund for repaying the same in one case more than in the other.

[P. 475(1).] Mr. Gage from the House bro't up a vote of allowance to John Dam for horse hire to Newbury for an Express which was read at the board & concurred and assented to by the Governour.

Alsoe a Petition of sund[y] Louisbourg soldiers in Capt. Prescotts company they having been charged £10 for their Guns & it appearing they never rec[d] any but found themselves arms—

Voted That they be allowed each man 50*s* which was read & concurred at the board & assented to by the Governour.

Mr. Smith chairman of the Committee to view the Place for building a Bridge over Exeter river &c made a report of the Place &c. which was read at the board & sent down to the House.

Adjourned till tomorrow 10 o'clock A. M.

Thursday May 28th 1747. Met according to adjournment, [and] Adjourned till tomorrow 10 o'clock A. M.

(1) Page 474 is my mistake, omitted in paging.—Ed.

Fryday May 29th 1747. Met according to adjournment.

Present [as before.]

Mr. Sanburne from the House bro't up the following votes & Papers, viz.

An acct of the necessary charges & Disbursements occasioned by the Expedition agst Louisbourg.

[P. 476.] An acct of Walter Warren for service as mariner at Louisbourg & for tools &c. Lost & worn out and vote of the House thereon for an allowance which was read at the board & concurr'd & assented to by the Governour.

An acct of Doctor Peirce for medicine & attendance on Edward Hopkins a Louisbourg soldier & vote of the House for an allowance thereon read & concurred & assented to by the Governour.

A vote for Borrowing money out of the Canada Expedition money in the Treasury to Pay the charge of the sailors & vessels &c. employed in an Expedition for the succor of Annapolis Royal & for the choice of a comittee to manage that affair.

An acct of Richd Jennes Esq. for fire wood for General Assembly & vote of allowance thereon read & concurred & assented to by the Governour.

The Petition of Saml Drown a soldier in the service of the Province wounded by the enemy at Rochester Praying the relieff of the Genl Assembly & vote of the House thereon for a Comittee to take care of the sd Drown &c. read & concurred & assented to by the Governour.

The vote of the House for a Comittee to revise & Print the Acts & Laws of the Government &c. read at the board & concurred and assented to by the Governour.

An acct of Stephen March for sundry Tools as spades Shovells &c. & vote of allowance thereon read & concurred and assented to by the Governour.

Ajourned till tomorrow 10 o'clock A. M.

Saturday May the 30th 1747. Met according to adjournment.

Present his Excelency the Governour.

Jotham Odiorne Henry Sherburne Ellis Huske Theodore Atkinson	Esqs.	Richd Wibird Saml Smith John Downing Sampson Sheaffe	Esqs.

[P. 477.] Mr. Wear from the House to Enquire if the Council had acted upon the several votes sent up yesterday and alsoe bro't up the several votes following as Passed in the House viz:

An acct of Benja Pittman going Express at sundry times & vote of allowance thereon.

An acc^{t} of Mr. Daniel Wentworth for sundrys supplyed the forts & Battery & vote of allowance thereon.

An acc^{t} of Mark H. Wentworth Esq. for sundrys for the forts & Battery & vote of allowance thereon.

An acc^{t} of John Moffat Esq for sundrys for the forts & Batterys and vote of allowance thereon.

An acc^{t} of Charles Gorwood for sundrys for fort & Batterys & vote of allowance thereon.

An acc^{t} of Joshua Peirce Esq. for sundrys for fort & Battery & vote of allowance thereon.

Alsoe an acc^{t} of John Gage Esq for Billeting soldiers in the frontiers & vote of allowance thereon.

All of which votes were read at the board & concurred and assented to by the Governour.

Adjourned till Monday next at 10 o'clock

Monday, June 1 1747. Met according to adjournment.

Present [as before.]

The Council took under consideration the vote of the House for Inlisting 40 men to Learn the Exercise of the Cannon at fort Wm. & Mary & concurr'd the same with an amendment & sent it Down to the House for concurrence.

Alsoe the vote of the House of the 21 of May for building Barracks &c at the fort and concurred the same with an amendm^{t} & sent it down to the House for concurrence.

Adjourned till tomorrow 10 o'clock A. M.

[P. 478.] Tuesday June 2^{d} 1747. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Ordiorne		Saml Smith	
Henry Sherburne		John Downing	
Ellis Huske		Saml Solley	
Theod. Atkinson		Sampson Sheaffe	

The Petition of Lieut. Eliphalet Daniels Praying for sum assistance he having been wounded & Imprisoned for Loss of Time &c. read & sent Down.

Alsoe the memorial of Coll. Meserve with his acc^{t} of Transporting Soldiers from Louisbourg to New Engl^{d} read & sent down.

Alsoe the Petition of Lt. Flagg Praying an augmentation of Waiges he having officiated as Capt. while at Louisbourg & is Entred only as a Lieut in the muster roll — read & sent down to the House.

A vote for authorizing & Directing the Justices of the Qr. Sessions to adjourn the s^d^ Court to some time in July next sent down to the House for concurrence — which vote was bro't up from the House by Mr. Knight concurred in the House and was alsoe assented to by the Governour.

Capt. Chesley from the House bro't up the muster roll of Capt. Thomas Bell for himself & soldiers at fort Wm & Mary & vote o the House thereon allowing the same which was read at the board & concurred and assented to by the Governour.

Mr. McMurphy from the House bro't up a vote for allowing 5 : 3 pr Day to each Person of the Comittee Imployed in the Louisbourg Expedition.

The Council took under consideration the vote of the House of the 28th of May for borrowing money out of the Canada Expedition to Pay the charge of the vessels &c that were sent to relieve the garrison of Annapolis Royal & concurred the same.

Adjourned till to morrow 10 o'clock A. M.

[P. 479.] Wednesday June 3^d^ 1747. Met according to adjournment.

Present [as before except] Saml Smith Esq.

Capt. Bell from the House to Enquire weither the Board had acted upon the vote of the House apertaining the waiges of the Louisbourg Comittee.

And alsoe the vote for setting aside the report of the Comittee made to the Superiour Court relating to the value of the Paper money.

The Petition of James Studley & Stephen Greenleaff owners of the sloop Speedwell Praying a further consideration for her voyage to France &c. then settled & allowed by the Comittee read & sent down.

The Council took under consideration the votes of the House Inquired after this day and nonconcurr'd the vote for apertaining the waiges of the Louisbourg Comittee.

And sent the Secretary to the House with a Mess^e^ assigning the reasons why the Council at Present could not act upon the other vote relateing to the value of the Paper money, and Prescribing a method that they tho't might answer the End Proposed by the House therein.

Mr. Gage from the House bro't up a vote for the Comittee of War for the Louisbourg Expedition to Lay their acc^t^ before the Assembly & stateing the said comittees waiges—and for sending home the acc^ts^ of the s^d^ Expedition.

Mr. Jennes from the House with a Mess^e^ to his Excelency Desireing he would be Pleased to adjourn the Assembly — the small

Pox being in Town & the members being apprehensive there was danger of taking the Infection &c.

And alsoe bro't up a Bill for building a Bridge over Exeter river which was read at the board a first time.

[P. 480.] A message from his Excelency to the House in answer to their mess^{a} of this Day Desireing his Excelency would please to adjourn the Assembly &c. viz.

That he would adjourn to any other place out of this Town but that as the affairs of the Governm^{t} now stood he looked upon it that adjourning at this time would be prejudicial.

Messrs. Clarkson & March with another Mess^{a} to acquaint his Excelency that the Houses' fears of the Distemper arose more from many of their own members than from any Transient person and that they should not think themselves save in any other Place & therefore Humbly Desired to renew their request.

His Excelency sent the Secretary to the House to acquaint them that he should adjourn the Council till tomorrow 10 o'clock before noon & in the mean time would consider of their mess^{a}.

Adjourned till to morrow 10 o'clock, A. M.

Thursday June 4th 1747. Met according to adjournment.

Present [as before alsoe] Saml Smith Esq.

His Excelency sent a written Mess^{a} to the House by the Secretary relateing to their vote of the 28 of May last about Paying the armed vessels & saylors Imployed in the Expedition for relieff of his Maj^{tys} Garrison at Annapolis Royal.

The Petition of sund^{y} Inhabitants of Suncook Praying for soldiers &c read & sent down.

The Acts for Taxing the Land in ye Towns of Hollis, Pelham & Parish Epping &c. was read three times & Passed to be Enacted.

Alsoe the Act for granting Liberty to sundry Persons to build a bridge over Exeter River at New Market read three times & Passed to be Enacted.

[P. 481.] Clement March Esq. bro't up a written Mess^{a} from the House to his Excelency relateing to his Excelencys Drawing Bills for Defraying the charge of the Annapolis Expedition.

His Excelency sent a written Mess^{a} to the House in answer to the above said message by the Secretary.

A mess^{a} by Capt. Gage from the House in writing relateing to the Enabling the Treasurer in a short way to compell the Inlisting officers that have rec^{d} money out of the Treasury for Paying the bounty to soldiers that Inlisted in the Canada Expedition to acc^{t} therefor.

And alsoe one other Mess^{a} to his Excelency about his Drawing Bills for Discharging the Annapolis Expedition.

Mr. MacMurphy from the House Brot up the Petition of the Inhabitants of Suncook as Entred in the forenoon & vote of the House thereon for granting four men to guard the s^d^ Town.

Adjourned till Tuesday the 16th Inst at 10 o'clock.

At a Council & General Assembly holden at Portsm° according to adjournment on Tuesday June 16th 1747.

There not being a Quorum of the House adjourned till to morrow 10 o'clock

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Wednesday again met, and adjourned till to morrow 10 o'clock, A. M.

[P. 482.] Thursday, June 18th 1747. Met according to adjournment.

Present his Excelency the Governour,

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske	Esqs.	Theodore Atkinson Saml Smith John Downing Saml Solley	Esqs.

His Excelency Laid before the board a Letter he'd just rec^d^ from his Excelency Governour Shirley with Capt. Bennet's Information relating to the French ships at the Bay of Vert Landing Cannon &c. there in order as the French in Nova Scotia Informed s^d^ Bennet to attack Annapolis Royal, which Letter & Information after being read were sent to the House by the Secretary.

[The following is the information by Moses Bennet, copied from MS. Corr.. in Secretary's office, Vol. II, p. 21. The letter of Governor Shirley is not found.— ED.]

Moses Bennet comm^r^ of the Brig^t^ Boston Packet declares, That on the 5th of this Instant June, the Declarant met his Majesty's ship the Canterbury on Board of whom was his Excellency Governour Knowles (1) who ordered said Declarant to make the best of his way for Boston; that on the next day being the sixth, having a contrary wind he put into Cape La Have a Harbour twelve Leagues to the Westward of Jebucta, where he hoisted French Colours and fired two Guns as a signal to the Inhabitants, and the next day being the seventh two Neutral French men came on board in a Canoe (taking the Brig^t^ to be a French Brig^t^ from the Bay Vert) and upon their Return the Declarant sent for one Paul Labourdie, who came on board the next day being the Eighth, and informed him as did the other two French men, "That there "were three French men of War in the Bay of Vert, viz. one of seventy, one "of sixty & one of Fifty Guns, one of which ships came from old France, the "other two from Canada, that they were drawing their cannon, mortars and "other Necessarys of the Train of Artillery from Bay of Vert to Seckenecto,

(1) Sir CHARLES KNOWLES was an Admiral in his Majesty's navy, and also Governor of Cape Breton.—ED.

"That they had sent orders to all the French and Indians to Rendezvous "with all possible speed at Seckenecto, there to join a Thousand men they "expected from Canada, when they were to make up an army of five thou-"sand men in order to besiege Annapolis, & build a Fort opposite to Goat "Island, all which was to be done with the greatest Expedition."

The said Labourdie further added, "That he had several times read the "orders from Canada for assembling the army at Seckenecto, and that the "whole affair was a secret to the English at Annapolis."

And the said Moses Bennet further Declares, That the said Labourdie & the other two French men offered to come to Boston with their Families in case the Declarant would go with his vessell to Mallagash & fetch them off, & subject themselves to any punishment in case their Intelligence should prove false.

The above written Moses Bennet further Declares that he has been for diverse years well acquainted with the three French men above mentioned who profess'd themselves well affected to the English, and he believes they are, especially the said Labourdie: & that upon this Declarants examining them apart they all agreed in their account, severally desireing the Declarant not to acquaint the others with their giving him this Intelligence for fear of their being discovered to the Indians.

Moses Bennet.

Boston, June 14th 1747.

In Council June 14th 1747. The above written Moses Bennet made oath to the Truth of the before written Declaration.

Attest

J. Willard, Secy.

Copy Examin'd, J. Willard, Secy.

Mr. Macmurphy from the House bro't up a Bill as Past in the House for Preventing Profane Cursing & swearing which was read & sent to the House for an amendment and bro't up again by Mr. Clarkson amended & then read a second & third time & Passed in Council to be Enacted & assented to by the Governour.

Capt. Gillman from the House bro't up a vote Enabling the selectmen of Portsmo to receive out of the Treasury the sum of one hundred & twelve Pounds, Ten shillings for & towards the Errecting a Pest House in some suitable Place for the reception of any Persons that may have any Infectious & Pestilentiall Distemper which was read at the board & concurred and assented to by the Governr.

Alsoe an acct of William Lewis for materials & Labour on repairing the Province Goal & vote of the House thereon for an allowance which was read & concurr'd and assented to by the Governour.

Coll. Wallingford from the House bro't up a Written message to his Excelency relating to Gov. Shirley's Letter & Capt. Bennets' Information sent by his Excelency this Day to the House(1).

Mr. Knight Bro't up from the House the Petition of Charles Hoit as Entered the 21 of May last relateing to his Gundaloe Damaged in the service &c. with the Houses' vote of concurrence thereon which was assented to by his Excelency.

(1) See "Journal of the House," p. 513.—Ed.

[P. 483.] His Excelency sent the Secretary to the House to acquaint them that he tho't the business of the governm^t required the assembly's setting at this Time & that if the members were still in fear of the smal Pox & Desireing of setting out of this Town he would adjourn them to such other Town as they might think safe.

To which Messrs Clarkson & Jennes from the House bro't up the following Mess^a in answer, viz. That the adjourning to any other Town at Present would be of great prejudice to the Town of Portsm^o in a Particular manner in that it would put an Intire stop to all commerce & communication both by Sea & Land it being as they apprehended Impossible to convince People that the small Pox was not in Town if the General Assembly should on that acc^t be adjourned to any other Place.

Mr. Gage from the House bro't up a vote for Posting 2 soldiers more at Barrington which was read at the board & concurred and assented to by the Governour.

Then his Excelency adjourn'd till Tuesday the 14th Day of July next at 12 o'clock A. M.

At a Council & General Assembly holden at Portsm^o according to adjournm^t on Tuesday the 14th July 1747.

Present his Excelency the Govern^r.

George Jaffrey Jotham Odiorne Henry Sherburne Theodore Atkinson	Esqs.	John Downing Sampson Sheaffe	Esqs.

There not being a Quorum of the House his Excelency adjourn'd the General Assembly till 4 o'clock P. M.

Then his Excelency sent the Secretary to the House with a written Mess^a setting forth that he was greatly Injured by the Depretiation of the Paper money in the receiving his Sallary & recomending to the House y^r making good that Deficiency(1).

[P. 484.] And alsoe Desireing a Comittee might be appointed to see his House &c. repaired.

His Excelency alsoe sent to the House by the Secretary 2 Letters from Secretary Willard relateing to a Flag of Truce Govern^r Shirley was sending to Canada to Exchange Prisoners Desireing this Governm^t would joyn therein(2).

Alsoe a written Mess^a relateing to the sending Commissioners to meet commissioners from the other Governm^ts to consult and agree upon some method Proportionably to carry on the War

(1) See said message in "Journal of the House," p. 515.—Ed.
(2) See said letters in "Records of Council," pp. 113, 114, of this Vol.—Ed.

against his Maj$^{ty's}$ Enemies conjointly His Excelency alsoe sent Down a Letter he rec^{d} of Governor Shirley on this affair Dated June 29 Last(1).

Adjourned till 11 o'clock A. M.

Wednesday July 15th 1747. Met according to adjournment.

Present [Councilors as before.]

The Petition of Ebenez^{r} Eastman & sundry others Inhabitants of Rumford, or Pennycook, Praying for a further supply of soldiers which was read at the board & sent down to the House.

Copy of said Petition.

[From the original, in the hands of the editor.]

To his Excellency Benning Wentworth, Esq: Capt General & Governor of his Majesties Province of New Hampshire in New England, To the Honourable the Council & House of Representatives of s^{d} Province — The Petition of ye subscribers inhabitants of Rumford in s^{d} Province humbly sheweth: That we have great reason to fear a speedy attack from the enemy with a force too great to be matched by us with what assistance we at present (thro' your Excellency's & Honours great goodness) have from ye Province — That the plain and evident tracks of a considerable number was discovered by our scout ye last week — That Guns have been heard both here and elsewhere & at Contoocook upon ye Sabbath & other times & places where it is certain no English were — That ye news of a formidable armament sent from Canada to Crown Point obtained such credits with the Government of ye Massachusetts Bay as induced them to provide a prodigious reinforcement to strengthen their western barrier — That such is our situation that as the rivers Hudson & Connecticut lie most exposed to incursions from Crown Point, so ours is the next, and the experience of this whole war has taught us that whenever any smart attack has been made upon any of the settlements on Connecticut river the enemy have never failed of sending a considerable number to visit our river — That while our ordinary business was hoeing we could work in such large companies as not to be in such imminent danger of being massacred by the enemy, which now haying and English harvest comes on will be impracticable without vast detriment to the whole and utter ruin to some. We therefore beg of your Excelency & Honors to take our deplorable case into consideration & extend your compassion towards us & grant us such a further reinforcement as you may think in your great wisdom our case requires & your Petitioners shall as in duty bound ever pray.

Rumford, July 13, 1747.

Ebenezer Hall	Ebenezer Eastman
Jeremiah Stickney	Henry Lovejoy
John Chandler	Joseph Eastman
Abiel Chandler	Jeremiah Eastman
George Hall	Nathaniel Eastman
Edward Abbott	Amos Eastman
Benjamin Abbott	Ebenezer Eastman, jr
Joseph Ordway	Samuel Shepherd
Sampson Colbe	Joseph Simonds
Ephraim Carter	Ebenezer Virgin
Ezra Carter	Philip Eastman
Stephen Farrington	Aaron Stevens
Nath^{n} Abbott	Timothy Bradley

(1) See said letter in "Records of Council," p. 115.—Ed.

Joseph Easman
Samwell Eastman
Abraham Kimball
Samuel Gray
George Abbott
John Merrill
Joseph Hall
David Foster
Obadiah Foster
Hanery Pudney
Patrick Garvin
James Peters
Zebdiah Farnum
James Farnum
James Osgood
Daniel Chase
Daniel Chase, junior
Joseph Farnum
Isaac Walker, junior
James Abbott
Amos Abbott
Ephraim Farnum
Joseph Pudney
Lot Colbe
Moses Merrill
William Pudney
Isaac Walker
Timothy Walker
David Evans
Richard Hazeltine
Jacob Shute
Samuel Putney
Nathaniel West
Abraham Colby
Matthew Standley
John Putney.

(62)

The Petition of Coll Moore & sund^y other officers Imployed in Inlisting men for the Canada Expedition, Praying some consideration for their service, Time & expence in the said affair, read at the board & sent Down to the House.

The Petition of John Mash in behalf of the Town of Nottingham West Praying to be enabled to Tax all the Land in the s^d Township towards building a meeting-house read & sent Down to the House.

The s^d Petition of John Mash bro't up from the House with a vote appointing a Day for a hearing thereon and advertizing the [p. 485.] same in the news Papers which s^d vote was read at the board and concurr'd and assented to by the Governour.

Mr. Memurphy from the House bro't up a vote of the House Desireing his Excelency to acquaint Governour Shirley that this Government will joyn in sending a Flag of Truce to Canada to Exchange Prisoners &c. which was read at the board and concurr'd and assented to by the Governour.

Adjourned till tomorrow 11 o'clock A. M.

Thursday July 16, 1747. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Theod^e Atkinson	Esqs.	Saml Smith John Downing Sampson Sheaffe	Esqs.

Mr. Levit from the House bro't up a vote appointing a Comittee to examine & auditt the Treasurer's Acc^ts and telling over the money in the Treasury now to be burnt which was read at the board & concurr'd and assented to & a Comittee added.

Mr. Wear from the House bro't up a resolve of the House That one shilling Lawfull money should Discharge 2*s* of all fees, fines & forfeitures by Law Established before the year 1740 & so in Proportion for a greater or lesser sum which was read at the board & concurr'd and assented to by the Govern^{r}.

Alsoe a vote appointing a Comittee to farm the Excise to the highest bidder for one year which was read & concurr'd and a Comittee added and assented to by the Governour.

The petition of Robert Miller a soldier in the Louisbourg Expedition who Lost his arm by a shot Praying the consideration of the General Assembly read & sent down to the House by Coll. Downing.

Adjourned till tomorrow 10 o'clock A. M.

[P. 486.] Fryday July 17th 1747. Met according to adjournment.

Present [as before.]

Mr. Wear from the House bro't up a vote Enabling & Directing the Comittee of war for Canada Expedition to sell the Provisions laid in for s^{d} Expedition &c. which was read at the board & sent back to the House with a recommendation, viz. That s^{d} Provision may be delivered out to the soldiers now in his Maj^{tys} Pay & raised for the s^{d} Expedition.

The Petition of Daniel Doe Pray^{g} he may have a hearing of a case that went agst him at the Inferiour Court of Common Pleas by Default the merrits having never been tryed — read & sent down to the House.

Mr. McMurphy from the House bro't up an acc^{t} of Capt. Joseph Hanson for Billeting Capt. Goff's company of soldiers & vote of the House thereon allowing the same which was read & concurr'd at the Board and assented to by the Governour.

[The following minute of "Billoting Pay^{d} for the Canada Expedition" is copied from MS. Corr. in Secretary's office, Vol. I, p. 319.]

1746.

To Capt. John Goffe for	113 men	To Capt. Mitchell	22 men
To Capt. Odlin	103	To Maj^{r} Wentworth	42
To Maj^{r} Davis	85	To Capt. French	23
To Maj^{r} Gilman	79	To Capt. Jno Turnell	15
To Mr. Wm Shackford	28	To Elip^{t} Daniels	6
To Mr. Richd Malloon	18	To Thos. Pickerin	42
To Francis Lock	8	To Capt. Foss	36
To Capt. Sherburne	7	To Capt. Tibbets	25
To Capt. Tod	24	To Mr. Wheelwright	4

Mr. Giddings from the House bro't up the Petition of Eliot Vaughan &c. as Entred the 20th of May last and vote of the House thereon Granting the Prayer thereof, viz. That the Petitioners have Liberty to bring in a Bill which was read at the board & concurr'd, and assented to by the Governour.

Also an acc^{t} of Joseph Basford for Time & Expence in Transporting an Indian man from Chester to Portsmouth & vote of allowance thereon read & concurr'd by the Council and assented to by the Governour.

Alsoe an acc^{t} of Sarah Priest for the Hire of her house for Council & Assembly's use & vote of allowance thereon which was read & concurr'd and assented to by the Govern^{r}.

[P. 487.] Mr. Giddings from the House bro't up a vote for an allowance to Benj^{a} Acreman as Door keeper to the 25th of March, 1747.

Mr. Wear from the House bro't up again the vote of the House of this Day relateing to the sail of the Provisions Purchased for the Canada Expedition as recommend^{d} by the Council for an alteration & a Mess^{a} therewith from the House, viz. That the House adheir to their vote as sent up at first.

The Council takeing the same under consideration non concurr'd it, and then sent a vote to the House for Putting the s^{d} Provisions into the Comissarys hands by him to be served out to the Canada soldiers in Equal Proportion towards their arrears as far as it would go, which being Past in Council was sent down to the House for concurrence.

The Petition of Abraham Libby & others Praying to be Poll'd from the Town of Portsm^{o} to the Parish of Rye for reasons assigned in s^{d} Petition read & sent Down.

His Excelency sent the Secretary to the House to Enquire if they had anything to send up who rec^{d} from the Speaker for answer that they had nothing, then the Secretary by his Excelency's order adjourned the General Assembly to Tuesday the 18th of August 1747.

At a Council & General Assembly holden at Portsm^{o} according to adjournm^{t} on Tuesday August 18th 1747.

Present

George Jaffrey Jotham Odiorne Henry Sherburne Th. Atkinson	Esqs.	Ellis Huske Richd Wibird Saml Smith John Downing	Esqs. of the Council.

His Excelency sent the Sec^{y} to the House with a written Mess^{a} relateing to an Expedition against Crown Point & with it Governour Shirleys Letter to his Excelency of the 20th July on that head with Directions to Leave the same with the House, which was accordingly Done.

[See said message and Gov. Shirley's Letter in "Journal of the House," pp. 520, 521.]

Adjourned till tomorrow 10 o'clock A. M.

[P. 488.] At a Council & General Assembly holden at Portsmouth Augs^t the 19th Wednesday by adjournm^t 1747.

Present his Excelency Ben^g Wentworth, Esq. Governour.

George Jaffrey	Esqs.	Richd Wibird	Esqs. of the Council.
Joth^m Odiorne		Saml Smith	
H. Sherburne		John Downing	
Ellis Huske		Saml Solley	
Theo. Atkinson		Samp. Sheaffe	

Mr. McMurphy & Mr. Giddings from the House bro't up a vote for an allowance of sixty pound pr annum to the Treasurer &c. which vote was read at the board & concurred & assented to by the Govr.

Alsoe a Petition of Tufton Philbrook setting forth the loss he met with of Tools &c. supply'd his Brother & were Lost in the expedition against Louisbourg.

Alsoe a vote of allowance to Theodore Atkinson, Esq. as Sec^y for the year 1746 of sixty Pounds & £25 to Do. for Extra service.

Alsoe a vote of allowance of £5 to Thos Packer Esq. as sherriff for the year 1746.

Alsoe an allowance to the widdows of Mr. Fitch & Mr. Shurtleff Deceased (1) for attendance upon & Praying with the House of Representatives, all which were read at the board & concurred & assented by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

Thursday August 20th 1747. Met according to adjournment.

[Councilors present as before.]

Mr. Giddings from the House bro't up the Petition of Danl Doe Desireing a rehearing of a cause at the comon Law for reasons set forth in s^d Petition & vote of the House thereon for notifying the adverse Party & setting a Day for a hearing thereon which was read & concurred by the Council.

[P. 489.] Alsoe a vote appointed Mr. Daniel Peirce recorder of Deeds &c. for one year from the 16th of July & till the Third Day of the next sitting of General Assembly after, which was read & concurred by the Council & assented to by the Governour.

The Council took under consideration the vote of the House of the 22^d of May last upon an acc^t of Coll. Peter Gillman for Billetting soldiers &c. & concurred the same with an amendment.

Alsoe the vote of the House of the 10th of December Last upon the Muster roll of Sergeant John Foulsham for an allowance thereof & non-concurred the same.

(1) Rev. JABEZ FITCH, pastor of the First or North Church in Portsmouth, died Nov. 22d, 1746, aged 73. Rev. WILLIAM SHURTLEFF, pastor of the Second or South Church, died May 9, 1747.

A mess[a] from the House by Mr. Jennes to Enquire weither the Council had acted upon the vote of the House of the 23[d] of May last for setting aside the comittees report for ascertaining the value of the Paper money.

A mess[a] to the House by the Sec[y] in answer to the above Mess[a] by Mr. Jennes to acquaint the House that the s[d] vote was then under consideration.

Adjourned till tomorrow 10 o'clock A. M.

Fryday August 21st 1747. Met according to adjournment.

Present

[Councilors as before.]

Mr. Memurphy from the House Bro't up a Bill for reviveing an Act passed for the more Effectual assessing & collecting the Province Tax which was read a first & second time at the board.

Alsoe an acc[t] of Doctor John Dinsmore for medicine & attendance upon Joseph Simons a soldier in the Pay of the Governm[t] & a vote of the House for an allowance thereon which was read at the board & concurred & assented to by the Governour.

The Petition of Abraham Sibley as Entered the 17 July Last & vote of the *the* House thereon for notifying the selectmen of [P. 490.] Portsmouth & the wardens of the first & second Parish in said Town & setting a day for a hearing &c. read at the board & concurred.

Adjourned till tomorrow 10 o'clock A. M.

Saturday August 22[d], 1747. Met according to adjournment.

Present

[Councilors as before.]

Mr. Giddings from the House bro't up the acc[t] of John Marshall for mending the Govern[rs] Boat am[o] £8 : 6 : 9 3-4 & vote of allowance thereon which was read at the board & concurred.

Alsoe a vote of allowance to Sam[l] Drown a soldier that was wounded in the service &c. of £5 : 0 which was read at the board & concurr'd & assented to by the Governour.

Mr. Sandburne from the House bro't up a vote of allowance to Mr. Meshech Wear for expences paid by the comittee for Treating with the Gentlemen that Purchased Capt. Tufton Mason's right &c. which was read at the board & concurred & assented to by the Govern[r].

Adjourned by his Excelency's order till Monday next at 10 o'clock before noon.

Monday August 24th 1747. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Jotham Odiorne		Saml Smith	
Henry Sherburne		John Downing	
Ellis Huske		Saml Solley	
Theode Atkinson		Sampson Sheaffe	

The Bill for reviveing an Act for the more Effectual assessing & collecting the Province Tax read at the Board a 3d Time & Passed to be Enacted, to which his Excelency gave his assent.

Mr. Memurphy from the House bro't up a vote Desireing his Excelency to order the Inlisting or Impressing Thirty effective [p. 491.] men to scout between Derry & Nottingham, making Nottingham their head Quarters which was read & the Secretary sent to the House to Enquire weither the 30 men mentioned in the said vote were designed to be exclusive of the 30 men sent by the Governour with advice of the Council to Rochester which his Excelency advised the House of in a Messa this sessions to which the Speaker gave for Answer that the 30 men now Desired were to be exclusive of those & that the former 30 men might be kept scouting till their month was out.

Adjourned till tomorrow 10 o'clock A. M.

Tuesday August 25thr 1747. Met according to adjournment.

Present [as before.]

Adjourned till tomorrow 10 o'clock *tomorrow.*

Wednesday, August 26th 1747. Met according to adjournment.

Present [as before.]

Mr. Giddings from the House bro't up a Bill for making Partition of a certain Messuage belonging to the Heires of Mrs. Margret Vaughan Deceased Lying in Portsmo which was read a first & second Time.

Adjourned till tomorrow 10 o'clock A. M.

Thursday August 27th 1747. Met according to adjournment.

Present [as before.]

[p. 492.] The Petition of Nicho Harford relateing to a Judgmt by Default in the Superiour Court & Praying to have it revised read at the board & sent down.

His Excelency sent to the House by the Sec^y a copy of a Letter from Govr Shirley with an agreem^t made between the Govr of Canada & the master of a vessell as a Flag of truce Lately arrived at Boston from Canada with a List of the Prisoners belonging to this Governm^t and a Mess^a Desireing the Houses' Answer as soon as Possible which Mess^a was Delivered to the Speaker & House accordingly.

Mr. Memurphy from the House bro't up the acc^t of Coll. Peter Gillman for billeting soldiers &c. as Entered the 20th Inst. with the vote of Council thereon of that date for concurring the vote of the House of the 22^d of May last with a vote of this Day for the House's adhering to their former vote, which was considered at the board & non-concurred & voted that the Council adheir to their vote of the 20th inst. which was sent to the House by Mr. Solley.

A mess^a from the House by Mr. Wear with the above vote & vote of the House adheiring to their former vote & to give the reasons of the House for so Doing & Desireing the Council would reconsider their vote, &c.

Mr. Memurphy alsoe bro't up the acc^t of Maj^r Stephen Greenlieff for sundry Expences in Entertaining three Comp^a of Millitia at the celebration of the Nuptials of the Prince of Orange am^o to £16: 14. Alsoe one other charge of Entertaining some comp^a of Militia at Declaring War against France, am^o £17: 15: 6 & vote of the House for allowing the sum last mentioned & dismissing the first which vote was read & concurred at the board.

Adjourned till tomorrow 10 o'clock A. M.

Fryday August 28th 1747. Met according to adjournment.

Present

[The Councilors as before.]

Mr. Giddings from the House bro't the following Papers & votes, viz.

[P. 493.] An acc^t of Capt. John Furnell for sundry supplys to the regiment at Louisbourg & vote of the House thereon allowing part thereof which was read at the board & concurred.

Alsoe a vote for Paying Thos Packer Esq. Sheriff for sund^y services Expences & for firewood, candles &c. for use of the assembly Courts &c. to the 25th of March last, read & concurred.

Alsoe an acc^t of Capt. John Newmarch for painting ye Fort Canoe, hire of his Gundaloe &c. & vote of the House thereon for an allowance read & concurred.

Mr. Memurphy from the House bro't up the acc^t of Coll. Samuel Moore, Esq. as Comissary to the forces at Louisbourg & vote of the House thereon allowing the same, read at the board & concurred.

The Council took under consideration the vote of the House for Inlisting or Impressing 30 men as Entered the 24th Inst. and concurred the same.

Adjourned till tomorrow 10 o'clock A. M.

Saturday, August 29th 1747. Met according to adjournment.

Present

[The Councilors as before.]

Mr. Knight from the House bro't up an acct of Joseph Moulton for charges in Printing Proclamations for raising Canada voluntiers & his going to Boston to get the same Impressed & vote of allowance thereon read & concurred.

Mr. Levet from the House bro't up a vote of allowance to Mrs. Joanna Hilton widow of Willm Hilton who died at Louisbourg being to rectify a mistake in the muster roll &c. which vote was concurred by the Council.

Mr. Wear from the House bro't up a vote Inabling Mr. Jona Longfellow a Comander of a scout of voluntiers of 30 men to receive Provision for his men of Coll. Gillman, which vote was read & concurred at the board.

Adjourned till Monday next at 10 o'clock A. M.

[p. 494.] Monday August 31, 1747. Met according to adjournment.

Present, his Excelency the Governour.

[Councilors as before.]

His Excelency gave his assent to the following votes, &c.

A vote for an allowance to the widow Hilton as Entered yesterday.

A vote for Passing and allowing Coll. Moores acct as Comissary for the Louisbourg Expedition as Entered the 28th Inst.

A vote for an allowance to Joseph Moulton as Entered yesterday.

A vote for an allowance to Capt. John Newmarch as Entred the 28th Inst.

A vote for the Payment of Capt. Turnell's acct as Entred the 28 Inst.

A vote for Mr. Packer's allowance — house rent fire &c. as Entred the 28th Inst.

Alsoe to an Act for making Partition of Mrs. Margret Vaughans Estate in Portsmo to & amongst her heirs.

Adjourned till to morrow 10 o'clock A. M.

At a Council & General Assembly holden at Portsm° according to adjournm^t on Tuesday the 1st of Sept. 1747.

Present

George Jaffrey	Esqs.	Richd Wibird	Esqs.
Joth^m Odiorne		Saml Smith	
Henry Sherburne		John Downing	
Ellis Huske		Saml Solley	
Theod^e Atkinson		Samp. Sheaffe	

Mr. McMurphy, from the House bro't up the Petition of Robt Tufton Philbrook as Enterd the 19th August last & vote of the House thereon for An allowance to Simeon Philbrook which was read & concurr'd.

Mr. Sandburne from the House bro't up a vote for the choice of a Comittee to Inspect the Province Goal & to make the Necessary repairs which was read & concurr'd & a Committee added.

[P. 495.] Mr. McMurphy from the House bro't up a vote for choice of a Comittee to receive the surplus sheets of the £60000 from the Comittee & Lock them up in the Province box &c. which was read & concurr'd & assented to by the Governour.

Adjourned till to morrow 10 o'clock, A. M.

Wednesday Sept 2^d 1747. Met according to adjournment.

Present

[The Councilors as before.]

Mr. Knight from the House bro't up the Treasurer's Acc^t for the year 1745 with the Comittee of audits' report thereon and alsoe a vote of the House for allowing the s^d acc^ts Except in the charge of Comissions in Two articles of Provisions &c.

Mr. Giddings from the House bro't up a vote Enabling Mr. John Hains a Comander of a Scout of Voluntiers to receive Provisions from Coll. Gilman which was read & concurr'd.

Alsoe a vote Enabling Mr. Saml Walton Commander of a scout of Voluntiers to receive one month Provisions out of the Province Stores for himself and men, which was read at the board & concurr'd.

Adjourned till to morrow 10 o'clock A. M.

Thursday September 3, 1747. Met according to adjournment.

Present his Excelency the Govr.

[Councilors as before.]

[P. 496.] The Petition of Charles McCoy Praying for a guard to take of his harvest Cattle &c. at Epsom, read & send down.

Adjourned till Wednesday the 23^d Inst. at 11 o'clock A. M.

Wednesday, Sept. 23d 1747. Met, and adjourned, till Wednesday, the 7th of October, at 11 o'clock A. M.

Wednesday October 7th 1747. Met and adjourned till Thursday the 15th inst at 10 o'clock A. M.

Thursday 15th October 1747. Met and adjourned to Thursday the 22d Inst. at 10 o'clock A. M.

Thursday Octor 22d 1747. Met according to adjournment.

Present his Excelency the Governour.

Jotham Odiorne Henry Sherburne Theodore Atkinson Richd Wibird	Esqs.	Saml Smith John Downing Saml Solley Sampson Sheaffe	Esqs.

His Excelency Directed the Secretary to read at the Board a written message to Both Houses relateing to the Discharging & [P. 497.] Paying the Canada soldiers: and alsoe a Letter from Govr Shirley & Govr Knowles relateing to that affair — and alsoe an abstract from his Grace the Duke of New Castle Letter to Governr Shirley on the aforesd head and then directed the Secy to carry the sd Message to the House & Deliver it to the Speaker together with the sd abstract & Letters which was accordingly done (1).

Adjourned till to morrow 10 o'clock A. M.

Fryday October 23d 1747. Met according to adjournment.

Present his Excelency the Governour.

Jotham Odiorne Henry Sherburne Theodore Atkinson Richd Wibird	Esqs.	Saml Smith John Downing Saml Solley Sampson Sheaffe	Esqs.

Mr. Giddings from the House bro't up a vote Directing all accts relateing to the Canada Expedition to be Imediately Prepared &c. in order to their being Laid before the Persons appointed by his Majesty to receive the same.

(1) See "Journal of the House," pp. 534-537.—Ed

Mr. Sanburne from the House bro't up an answer to his Excelencys Message of yesterday relateing to the payment of the Expences of the Canada Expedition which was read at the Board (1).

Mr. Gilman from the House bro't up a vote for an allowance to Sam[l] Drown for his Asssistance being wounded by the Enemy while in the service of the Governm[t] which was read at the board & concurr'd.

Alsoe a vote for Paying the Sec[y] for sund[y] Books, Papers &c. for his office read & concurr'd.

Adjourned till 10 o'clock tomorrow A. M.

Saturday October the 24, 1747. Met according to adjournment.

Present

J. Odiorne	Esqs.	Richard Wibird	Esqs.
Henry Sherburne		Sam[l] Smith	
Theod. Atkinson		Sampson Sheaffe	

[P. 498.] Mr. Wright from the House bro't up a muster roll of Capt. John Goffe for the service of four men placed at Blaisdell Garrison on Merrimack & vote of allowance thereon which was read & concurred at the board.

Adjourned by his Excelency's order till Tuesday the 10 of November 1747 at 10 o'clock A. M.

At a Council & General Assembly holden at Portsm[o] according to adjournment on Tuesday the 10th of November 1747.

Present his Excelency

J. Odiorne	Esqs.	S. Smith	Esqs.
H. Sherburne		J. Downing	
R. Wibird		S. Sheaffe	

His Excelency sent the Secretary to the House with a written Mess[a] relateing to the House's Mess[a] Last Sessions about furnishing money to Pay the Canada Soldiers & about a Letter he rec[d] from the Lord Commissioners for Trade & Plantations togeather with a copy of sund[y] Paragraphs of their Lordships Letter (2).

Adjourned till to morrow 10 o'clock A. M.

(1) See "Journal of the House," p. 538.—Ed.
(2) See "Journal of the House," pp. 539, 540.—Ed.

Wednesday Nov. 11, 1747. Met according to adjournment.

Present

Jotham Odiorne Henry Sherburne Theod. Atkinson Rich[d] Wibird	Esqs.	Sam[l] Smith John Downing Samp. Sheaffe	Esqs.

Adjourned till to morrow 10 o'clock A. M.

Thursday Nov. the 12th 1747. Met according to adjournment.

Present [as before.]

The Petition Phineas Stevens, Ebene[r] Eastman & Jeremiah Clough in behalf of themselves & the Inhabitants of Contoocook, Pennycook & Canterbury (1) Praying for soldiers &c. read & sent down.

The Petition of Daniel Ladd lately returned from captivity Praying some relief from the Government &c. read and sent down.

The memorial & address of the Town of Rochester signed by John Bickford in behalf of said Town Read & sent down.

[P. 499.] Mr. Knight from the House bro't up a vote of allowance to Joseph Forse going Express to Chester.

And alsoe a vote for an allowance of £75 to Alexander Roberts & others concerned in the killing an Indian at Pennycook (2) last year read & concurred.

Adjourned till tomorrow 10 o'clock A. M.

Fryday, November 13th 1747. Met according to adjournment.

Present His Excelency the Govern[r].

Jotham Odiorne Theod. Atkinson Rich[d] Wibird	Esqs.	Sam[l] Smith John Downing Sampson Sheaffe	Esqs.

The Petition of Joseph Coffin in behalf of the Proprietors of a Place called Contoocook Praying to be Enabled to Tax the Land for support of the ministry &c. read & sent down.

(1) PHINEAS STEVENS was the first minister of the church in Contoocook, now Boscawen, ordained Oct. 8, 1740, and died Jan. 19. 1755. Capt. Ebenezer Eastman was a leading man in Pennycook, now Concord, and Capt. Jeremiah Clough was one of the principal men in Canterbury.—ED.

(2) ALEXANDER ROBERTS was one of the party commanded by Lt. Jonathan Bradley, at the time of the massacre in Concord, August 11th, 1746. He was taken prisoner by the Indians and carried to Canada, but next year made his escape. See an account of him and the action of the Legislature on his claim of a bounty for killing an Indian, in "Bouton's Hist. of Concord," pp. 165-166.—ED.

Mr. Knight from the House bro't up a vote Desireing his Excelency to give orders that Capt. Daniel Ladd may be forthwith Prosecuted & compelled to refund the Publick money which he has in his hands.

Alsoe a vote Desireing his Excelency to compel those who by virtue of his beating orders received money out of the Treasury for bounty for such voluntiers as should Enlist for the Canada Expedition & have not Disposed of said money for said use forthwith or as soon as may be to refund the same, read & concurred.

Alsoe a vote Desireing his Excelency to give his orders for Inlisting 15 men to be posted at Canterbury, Contoocook & Pennycook to scout, &c.

Alsoe a vote appointing a Comittee to address his Majesty Praying a reimbursement for one moiety of the charge of running the Lines & for maintaining fort Wm & Mary &c. & to state the affairs of Fort Dummer &c. read & concurred & assented to by the Governour.

Adjourned till tomorrow 10 o'clock A. M.

Saturday November the 14th 1747. Met according to adjournment.

Present

J. Odiorne Henry Sherburne Theod. Atkinson Richd Wibird	Esqs.	Saml Smith John Downing Sampson Sheaffe	Esqs.

[P. 500.] Mr. McMurphy from the House bro't up the vote for a comittee to write to the agent &c. which was amended at the board & send Down & returned & then the Council concurr'd the same.

Alsoe a vote appointing a Comittee to mend the Prison which was read & concurred & a comittee added at the board.

Alsoe a Petition of Richd Brewster a Louisbourg voluntier for loss of sund^y things in the service there and an allowance thereon read at the board & concurr'd.

Adjourned till Wednesday next at 10 o'clock A. M.

Wednesday November the 18th 1747. [Met and adjourned.]

Thursday Nov. 19th 1747. [Met and adjourned.]

Fryday Nov. 20, 1747. Met according to adjournment.

Present

Joth[a] Odiorne	Esqs.	Rich[d] Wibird	Esqs.
Henry Sherburne		Sam[l] Smith	
Ellis Huske		Jn[o] Downing	
Theod. Atkinson		Samp. Sheaffe	

Mr. Jennes from the House bro't up the Muster roll of Capt. Clough & vote of the House thereon.

Alsoe an allowance to Joseph Moulton for service Don in going Express.

Adjourned till tomorrow 10 o'clock before noon.

[P. 501.] Saturday November 21, 1747. Met according to adjournment.

Present [as before.]

The Petition of Joseph French in behalf of himself & others Freeholders in Dunstable setting forth sund[y] Irregularities in said Town acted at a Town meeting calling a minister &c. & Praying relieff &c. read & send down to the House (1).

Coll. Wallingford from the House bro't up the following Muster rolls for service in scouting & guarding the frontiers, viz.

Maj[r] Lovewells	5 rolls, am[o] to	£1073:	13:	4	1-2
Maj[r] Davis's	5 rolls, am[o] to	345:	15:	9	
Capt. Goffs	1 Do am[o] to	280:	4:	2	3-4
Capt. Jennes	1 Do am[o] to for y[e] Fort	9:	9:	0	
Capt. Eastman	1 Do am[o] to	35:	6:	6	
A roll for service at Nottingham		95:	8:	0	
Wm. Cates roll service at Barrington		56:	9:	10	
Capt. Bells roll for fort Wm & Mary		108:	12:	0	

Voted that Ellis Huske & Sampson Sheaffe Esqs. be a Comittee of Council to Examine the above rolls & make report thereon as soon as may be.

Alsoe an acc[t] of Mr. Daniel Peirce for books for records, Paper, Quills &c. am[o] to £10: 10: 5 & vote of allowance thereon which was read & concurr'd.

Clem[t] March Esq. from the House bro't up the Petition of Joseph French & others as Entred this day & vote of the House thereon for a hearing & Notifying the adverse Party which was read at the board & concurred.

Adjourned by his Excelency's order till Tuesday December 1, 1747.

(1) See said Petition in MS. Vol. II, pp. 235-237, "Towns," in Secretary's office.—Ed.

Tuesday December the 1st 1747. Met and adjourned till to morrow 10 o'clock A. M.

[P. 502.] Wednesday Decemb^r 2^d 1747. Met according to adjournment.

Present [as before.]

A Petition of Josiah Cumins & others Inhabitants of Nottingham West Praying to be exempt from paying to the support of the ministry of the s^d Town for reasons therein mentioned read & ordred to be sent down.

Alsoe a Petition of Saml Campbell of Windham in behalf of s^d Parish Praying that about 20 familys that live to the South East of Pollicy Pond (so called) which are not taxed to the charge of the Parish, may be obleig'd to Pay there &c. read & sent Down.

Mr. Levit from the House bro't up the House's vote of this Day Impowering the Comittee of War for the Canada Expedition to Dispose of the Provisions &c. which was read & concurr'd.

Adjourned till tomorrow 10 o'clock A. M.

Thursday December the 3^d 1747. Met according to adjournment.

Present his Excelency the Govern^r.

Joth^m Odiorne	Esqs.	Richd Wibird	Esqs.
Henry Sherburne		Saml Smith	
Ellis Huske		John Downing	
Theod. Atkinson		Sampson Sheaffe	

Mr. Knight from the House bro't up a muster roll of Joseph Thomas for scouting the frontiers &c. & a vote of allowance thereon.

Alsoe an acc^t of Doctor Ross for medicine & attendance on Saml Drown a soldier wounded by the enemy in the frontiers & vote of allowance thereon read & concurred.

Alsoe a List of the voluntiers Employed ag^st Louisbourg in the Pay of this Province & vote of the House thereon for paying each man 5*s* in full for their back allowance while on s^d Expedition.

[P. 503.] Mr. Knight from the House Bro't up a vote Directing the Comittee of the £5000 Loan to Do their utmost Imediately to finish that affair.

Alsoe a vote Directing the Treasurer to collect all the outstanding Debts of the Province Tax for the year 1742–1743–1744–1745 or to take them to his own acc^t.

The Petition of James Rogers & son Praying an allowance for his assistance to the Comissary of the Canada Expedition &c. read & sent Down.

Adjourned till tomorrow 10 o'clock A. M.

Fryday December the 4th 1747.

Present

Joth^{m} Odiorne Ellis Huske Theod. Atkinson	Esqs.	Richard Wibird Sampson Sheaffe	Esqs.

Mr. McMurphy from the House bro't up the Petition of Saml Cummins as Entred the 2^{d} Inst. & vote of the House thereon for notifying the adverse Party & granting a hearing read & concurred.

Alsoe the Petition of Saml Campbell &c. as Entered the 2^{d} Inst. and vote of the House thereon for advertising the Persons concerned and setting a Day for a hearing thereon read & concurred.

Mr. Sandburn from the House bro't up a Paper Prefaced thus: The acc^{t} of the Honble George Jaffrey Esq. Treasurer & receiver Gen^{ll} of his Majestys revenues for s^{d} Province for the annual & contingent charges of the Government for the year 1746 to the 31st of August 1747 continued, containing several articles, but not signed by the Treasurer with a Direction at the foot of the s^{d} acc^{t} for making the same a Part of the s^{d} Treasurers acc^{t} for the year 1746 to the 31 of August 1747 as audited by the Comittee of the House & reported thereon.

Mr. Sandburne & the Clerk bro't up the Treasurers acc^{t} referred to in the above Paper.

Mr. Jennes from the House bro't up the acc^{t} of Nathl Lang for ferriage of sund^{y} soldiers &c. from & to New Castle Island & vote of the House thereon for an allowance.

Adjourned till to morrow 10 o'clock A. M.

[P. 504.] Saturday December 5, 1747. Met according to adjournment.

Present

Joth^{m} Odiorne Ellis Huske Theod. Atkinson Richd Wibird	Esqs.	Saml Smith John Downing Sampson Sheaffe	Esqs.

Mr. Sandburn from the House bro't up the following Papers & votes, viz.

The acc^{t} of the Committee for transporting the French prisoners

taken at Louisbourg to old France & vote of the House thereon for allowing the same & Discharging the s^d Comittee of the money rec^d by them for that end.

Alsoe a vote that all the acc^ts relateing to the Expedition ag^st Louisbourg, Canada & to Annapolis royal be made ready & laid before the Assembly, which was read & concurred.

Alsoe a vote for the choice of a Comittee to Enquire into & recover all such stores as were taken or stolen from the Camp at Winnipiseoce Pond or Rochester & to acc^t therefore to the General Assembly, read & concurred & John Downing, Esq. added to the Comittee in this affair.

Adjourned till Tuesday the 8th Inst. by his Excelencys order.

Tuesday December 8th 1747. Met according to adjournment.

Present [as before.]

There not being a Quorum of the House the Council took under consideration the vote of the House of the 20th of November Last relateing to the supplying the money for payments of the Canada soldiers waiges &c. & after Debateing the same suspended the consideration thereof till tomorrow.

Adjourned till tomorrow 10 o'clock A. M.

[P. 505.] Wednesday December 9th 1747. Met according to adjournment.

Present [as before.]

The Council took again under consideration the House's vote the 20th November last for furnishing money for Payment of the Canada soldiers & non concurred the same, minited their reasons for so doing & sent it to the House by the Sec^y.

Adjourned till tomorrow 10 o'clock, A. M.

Thursday December the 10th 1747. Met according to adjournment.

Present [as before.]

A mess^a from the House by Coll. Gillman to Enquire weither the Council had acted upon Sund^y votes of the House sent up & bro't up a List of the s^d votes.

The Council took under consideration the several votes the House Inquired after & Passed upon those that were not acted upon before & send a Mess^a to the House acquainting them thereof.

The Council took under consideration the several muster rolls & votes of the House thereon as sent up this Sessions & concurr'd the same.

Mr. Russell from the House bro't up a vote Desireing his Excelency would give orders for Impressing or Inlisting eight men & Post them at fort Wm & Mary.

Alsoe an acc^{t} of Daniel Meader for the ferriage of 115 soldiers to & from the frontiers & vote of the House for an allowance therefor, read & concurred and assented to by ye Govr.

Adjourned till tomorrow 10 o'clock A. M.

[P. 506.] Fryday December 11th 1747. Met according to adjournment.

Present his Excelency the Governor.

Jotham Odiorne Ellis Huske Theod. Atkinson Richd Wibird	Esqs.	Saml Smith John Downing Sampson Sheaffe	Esqs.

Mr. Sandburne from the House bro't up an acc^{t} of John Eliot for mending the Prison windows and vote of allowance thereon which was read at the board & concurred & assented to by the Governour.

Alsoe an acc^{t} of Daniel Meader for ferriage of sund^{y} soldiers sent by the Governours orders to the frontiers & an allowance thereon which was read & concurr'd at the board & assented to by the Govr.

Alsoe a vote of the House for choice of a Comittee to confer & report the most equal & easy method for Paying the charge of the Government in Defending the frontiers this year, read & concurred & a comittee added.

The Council took under consideration the several votes of the House, following, viz.

A vote of the 2^{d} of September Last for establishing the value of the Paper currency Emitted in this Governm^{t} & non concurred the same.

Alsoe a vote of the 22^{d} of August last on the acc^{t} of Peter Gillman Esq. for Billeting the soldiers in the frontiers & not concurred the same & adhered to their former vote on s^{d} acc^{t}.

Alsoe an acc^{t} of Nathl Lang for ferrying soldiers to & from New Castle Island & a vote of the House thereon for an allowance which was read & concurred.

Alsoe a vote for the Comittee of the £15000 Loan to collect the same as soon as Possible, read & concurred.

Alsoe the House's vote annexed to the List of the Louisbourg soldiers for an allowance in full for their back allow^{e}, read & concurred.

[P. 507.] Alsoe the acc^{t} of the Comittee for Transporting the French Prisoners taken at Louisbourg to France & vote of the House thereon for Discharging them thereupon read & concurred.

His Excelency gave his Assent to the several votes foregoing.

Adjourned till tomorrow 10 o'clock.

Saturday December 12th 1747. Met according to adjournment.

Present [Councilors as before.]

Mr. Levit from the House bro't up a vote for the settleing the value of the Paper Currency which was read & Laid upon the Table.

Adjourned by his Excelency's order till Monday next at 10 o'clock.

Monday December the 14th 1747. Met and adjourned — there not being a Quorum of the House.

Tuesday December 15th 1747. There not being a Quorum of the House, adjourned till tomorrow.

Wednesday December 16th 1747. Met and adjourn'd.

[P. 508.] Thursday December 17, 1747. Met according to adjournment.

Present

Jotham Odiorne	Esqs.	Saml Smith	Esqs.
Ellis Huske		John Downing	
Theod. Atkinson		Saml Solley	
Richd Wibird		Sampson Sheaffe	

The Council took under consideration the report of the Comittee appointed to consider how to pay the charge of the Governm^{t} the Last year & concurr'd with an amendment, viz. that there be a fund Laid for repaying the s^{d} money in the s^{d} report mentioned in the three next years.

Adjourned till tomorrow 10 o'clock A. M.

Fryday December 18th 1747. Met according to adjournment.

Present [as before, except]

John Downing, Esq.

Mr. Sherburne from the House bro't up the report of the Comittee appointed to consider of the most equal method for Defraying the charge of the governm^t as sent down yesterday with the concurrence of this board with an amendment & the House's vote of concurrence therewith with an amendment which was read at the board & Debated & the Question put weither the Council would concur with the House's vote of amendment & it Passed in the affirmative & the House was acquainted therewith by the Sec^y.

Adjourn'd till to morrow 10 o'clock A. M.

Saturday, December 19, 1747. Met according to adjournment.

Present [as before, including]

Jno Downing, Esq.

His Excelency sent a Mess^a to the House by the Secretary with a mem^o what sort of votes he would assent to in the affair of Paying off the Canada soldiers & those Employed in the frontiers &c. & the same was left with the House accordingly.

The House sends his Excelency a message in answer to the above mess^a.

[See "Journal of the House," pp. 588, 589.]

[P. 509.] Mr. McMurphy from the House Bro't up a vote for Paying Mr. Saml Penhallow Twelve months wages as Comissary in the Canada Expedition which was read & concurr'd at the board.

Adjourned by the Governours order till Monday next 10 o'clock A. M.

Monday December 21, 1747. Present as on Saturday last.

His Excelency filed in the Sec^ys office 2 messages he received from the House relating to ye Paying the Canada soldiers & those on the frontiers &c. one Dated the 18th and the other Dated the 9th Instant.

[See "Journal of the House," pp. 557, 558.]

His Excelency sent the Sec^y to the House with a written Mess^a on the subject of Paying the Canada men & those in the frontiers &c. which was accordingly delivered them.

[See "Journal of the House," p. 559.]

Adjourn'd till to morrow, 10 o'clock A. M.

Tuesday December 22d 1747. Met according to adjournment.

Present [as before.]

Mr. Gage from the House bro't up a vote for Emitting the sum of £4000 to pay off the soldiers on the frontiers & other charges of government &c. which being read & Debated the Question was Put weither the board would concurr or not & it Passed in the negative unanimously.

Messrs. Atkinson, Smith & Sheaffe sent to the House to acquaint them thereof & with the reasons why the Council non concurred the same.

Adjourned till tomorrow 10 o'clock, A. M.

Wednesday December the 23d 1747. Met according to adjournment.

Present [as before.]

His Excelency sent the Secry to the House with a written messa in answer to a messa he recd from the House yesterday by Mr. Wear & Levit.

[See "Journal of the House," p. 562.]

Adjourned till to morrow 10 o'clock — the Council to meet at his Excelencys House.

[P. 510.] At a Council & General Assembly holden at Portsmo according to adjournmt on Thursday December 24th 1747.

Present his Excellency the Governour

Jotham Odiorne Ellis Huske Theod. Atkinson Richd Wibird	Esqs.	Saml Smith John Downing Saml Solley Sampson Sheaffe	Esqs.

Mr. Giddings from the House bro't up a vote of the House for lending his Majesty as much money as was necessary for Paying the Troops raised for the Canada Expedition &c. which was read & Concurr'd & assented to by the Governour.

Mr. Knight bro't up from the House the following votes viz:

An acct of Mathias Hains for work at the Prison & vote of allowance thereon read & concurred & assented to by ye Govr.

An acct of Richard Jennes Esq. for fire wood supply the Assembly & Courts & vote of allowance thereon read & concurred & assented to by the Govr.

A vote for an allowance to John Melcher for fourteen nights waiges at the fort Wm. & Mary he being omited in the muster roll Exhibited — read & concurred & assented to by the Govr.

His Excelency alsoe gave his assent to the vote of both Houses

on the report of the Comittee appointed to consider of the easiest & best method for Paying the charge of the frontiers &c.

His Excelency alsoe gave his Assent to the votes of both Houses for Paying the several muster rolls.

His Excelency asked weither they would advise him to grant his warrant on the Treasury for Paym^{t} of the several allowances made this session to which they did unanimously consent & advise.

Adjourned by his Excelency's order to Tuesday the 23^{d} Day of Feb^{ry} next at 10 o'clock A. M.

At a Council & General Assembly holden at Portsm^{o} according to adjournm^{t} on Tuesday the 23^{d} Day of Feb^{ry} 1747–[8].

Present

Ellis Huske Theodore Atkinson Richard Wibird Saml Smith	Esqs.	John Downing Saml Solley Sampson Sheaffe	Esqs.

Adjourned till Tuesday the 8th of March at 10 o'clock A. M.

[P. 511.] Tuesday the 8th of March 1747 — Met according to adjournment.

Present

George Jaffrey Jotham Odiorne Theod^{r} Atkinson Richd Wibird	Esqs.	Saml Smith John Downing Saml Solley Sampson Sheafe	Esqs.

His Excelency sent a written mess^{a} to the House relateing to ye raising men for frontiers, together with sund^{y} papers referred to in the s^{d} Paper.

[See "Journal of the House," p. 564.]

The Petition of sundry Persons of the Parish of Epping Praying for soldiers to be Posted at Nottingham read & sent Down.

Alsoe the Petition of Thomas Sheapard in behalf of the Inhabitants of the Two mile Streak so called Praying for soldiers &c. read & sent down.

The Petition of the Selectmen of Portsm^{o} Praying the consideration of the General Asembly in relation to the Disapointment in the Purchase of an Island for building a Pest House upon &c. read & ordered that a Comittee be appointed to consider and report thereon & sent Down for concurrence.

Adjourned till tomorrow 10 o'clock, A. M.

Wednesday March the 9th 1747. Met according to adjournment.

Present [as before.]

The Petition of John Webster in behalf of the Inhabitants of Pennycook Praying for soldiers read & sent down.

Alsoe a Petition of Richard Eastman in behalf of the Suncook settlers Praying for soldiers &c read & sent Down.

Mr. Wear from the House bro't up a vote for an allowance to sundy men omitted in Majr Lovewells muster rolls which was read & concurred at the board and assented to by the Governour.

The Petition of Archibald Starke (1) of Amoskeeg Praying for soldiers to be Posted at his Garrison &c. read & sent Down.

[p. 512.] The Petition of James Gilmore & others of the Parish of Windham in Londonderry Praying to have the Petition of Samuel Campbell of sd Town Dismissed — read & sent Down to the House.

Alsoe a Petition of sundry retailers Praying for an Act to ascertain the gage of molasses rum &c by Gunter's scale & not by the rodd read & sent Down.

Adjourn'd till tomorrow 10 o'clock A. M.

Thursday March 10th 1747. Met according to adjournment.

Present [as before.]

His Excelency ordered the Secretary to read at the board a Letter he recd from Secy Willard by order of Governour Shirley and after ordered it to be carryed to the House which was accordingly Done.

The Petition of Mr. Bartlett & selectmen of Nottingham Praying for soldiers &c. read & sent down.

Alsoe the Petition of Samuel Penhallow Praying for his waiges as Comissary to the Canada Expedition read & sent Down.

Mr. McMurphy from the House bro't up the Petition of John Marsh in behalf of the Town of Nottingham West as Entred the 15th of July Last & vote of the House thereon for Laying one Penny pr acre on the land in sd Town for sundy publick uses therein mentioned which vote was read & concurr'd.

Alsoe the Petition of sundy retailers as Entred yesterday with a vote of the House thereon granting the Petitioners Liberty to bring in a Bill accordingly which was read & concurr'd.

Mr. McMurphy from the House bro't up the Petition of Josiah Cumins & others of Nottingham West as Entred the 2d of Decembr with a vote of the House thereon of the same date appointing a hearing on the second of the next Sessions of Assembly

(1) ARCHIBALD STARKE was the youngest brother of Gen. John Stark. He was an original proprietor and settler in Dunbarton, N. H., which at first was called *Starkstown*. Descendants of the family still live in Dunbarton.—ED.

after the 10th of April next &c. which was read at the board & non concurr'd & voted that the Petition be Dismissed.

[P. 513.] Alsoe one other Petition of Joseph French in behalf of sundy Inhabitants of Dunstable as Entred the 21 of November last & voted of the House thereon Differing the hearing thereon till the 2d Day of the next Sessions after the 10th of April next which was read at the board & concurr'd.

Alsoe an acct of Hugh Montgomery for labour stuffe &c. mending the Province Goal & vote of the House for an allowance thereon which was read at the board & concurr'd.

Alsoe one other vote on an acct of Ebenezer Eastman for going Express carrying snow shoes &c for an allowance which was read at the board & concurr'd.

Adjourned till tomorrow 10 o'clock A. M.

Fryday March 11th 1747. Met according to adjournment.

Present [as before.]

Mr. McMurphy from the House bro't up the Petition of sundy Inhabitants of the Parish of Windham & Methuen & vote of the House thereon for Polling off sundy of the Petitioners &c. which was read at the board & non concurred & voted that the Petition be dismissed.

Mr. Wear from the House bro't up a vote for an allowance to Mrs. Mary Peacock for house rent nursing &c. Samuel Downs a soldier wounded in the Province service by an Indian which was read at the board & concurr'd.

Alsoe an acct of Doctor Joseph Atkinson for medicine & attendance on sd Downs & vote of the House thereon for an allowance which was read at the board & concurr'd.

Mr. McMurphy from the House bro't up a vote of the House for Inlisting a number of men for the Defence of the frontiers &c. which was read at the board & concurr'd.

Adjourned till to morrow 10 o'clock A. M.

Saturday March the 12th 1747. Met according to adjournment.

[P. 514.] Present [as before.]

Mr. Sandburn from the House bro't up a vote of the House allowing to each voluntier that should Inlist agreeable to the vote of the House of yesterday one months pay in advance which vote was read at the board & concurr'd.

Mr. Wear from the House bro't up a vote Directing the Comittee of Warr for Canada Expedition to finish the rate of the sundry stores & Provisions remaining of sd Expedition & Directing

the Treasurer to Purchase some of them for the service of the Province.

Prorogued by the Governours order till Tuesday the 10th Day of May next at 10 of the clock A. M.

At a Council & General Assembly holden at Portsm° according to Prorogation on Tuesday the 10th of May, 1748,

Present his Excelency the Governour,

George Jaffrey Jotham Odiorne Henry Sherburne Theod. Atkinson	Esqs.	Ellis Huske Richd Wibird Saml Smith John Downing	Esqs.

Samuel Solley
Samp^n Sheafe

His Excelency sent the Sec^y to the House to acquaint the Speaker & House that he required their attendance in the Council Chamber — the Speaker & House came up accordingly and were admitted. His Excelency then made a Speech to Both Houses as follows: viz.

Gentlemen of the Council and of the Assembly,

Not having any Imediate comands from his Maj^ty to Lay before you, I am hopeing your whole attention will be Imploy'd to give Dispatch to such affairs as appear to be of the greatest moment to the Government.

Gentlemen of the Assembly

[P. 515.] You are all sensable That his Majesty has recommended that my salary should be fixed & Paid in Sterling or Proclamation money, and the reason given for this, is, that the sum settled for my support should not be lyable to the least variation by the uncertain value of paper currency, and you are as sensable that I have not fail'd of sending Down message after message Desireing amongst other things that a grant might be made to making good such Deficiencys of my sallary as are in arrears but the Treatment my messages have met with has Determined me for some time past not to make another fruitless attempt at the Publick Expence, but to lay my case before his Majesty, relying that he will be graciously Pleased in consideration of my faithfull services to condecend to relieve me from my Present oppression.

I am concerned for the occasion, and altho' my good offices since my accession to the Governm^t have not met with a more Grateful return, yet when they are Impartially considered & compared with the times that are Passed they will appear as great as could be wished for & greater than could be expected.

Governour Shirley's & Governour Knowles Letter in consequence of his Grace the Duke of New Castle's comands to those gentlemen to Transmit to his Grace all acc^ts & charges (when they received them from the respective Governours concerned therein) Incurred by the late Intended Expedition against Canada was laid before the House in due Time, and to give the Committee full Leisure to prepare these accounts I tho't fit to Prorogue the General Assembly to this Day hopeing then to receive them properly authenticated & vouched, to send forward in obedience to the Kings comand, & it will be necessary for me to have triplicates of all accounts & vouchers, also Triplicates of all acts & votes in General Assembly relative to the Expedition.

It is your Duty & will be your Honour to Discharge all your Publick Engagements and to Perfect every Transaction you have undertaken before this session expires, That nothing of consequence may be left to the adjustment of your successors Particularly I recomend the adjustment of the Treasurer's acc^{ts} & the supply of the Treasury That the grants you have made for the Defence of the frontiers may be Discharged in due time that his May^{tys} service may not suffer.

[P. 516.] The Intelligence I had of a considerable body of Indians Passing on rafts over Contoocook river & that a number of cattle had been killed in that neighborhood induced me, for the safety of the kings subjects in that Quarter, to reinforce the Garrison at Contoocook & Canterbury with ten men each for one month, which his Majesties Councill advised to. If you approve of this reinforcement's being continued in s^{d} service I shall retain them otherwise I shall order their Dismission when the month ends.

There has been a general uneasiness in the Troops posted on the frontiers for want of their Provision of rum, & if it is the practice of the Mass^{a} to Deliver out rum to the forces in their Pay, the uneasiness will increase if the Troops in the pay of this Governm^{t} are not put upon the same footing.

The Prospect my officers had of Enlisting the full Number of men for the service of the frontiers on their first setting out & the Disappointments they met with in not compleating their Levies occasioned by a better Encouragement given by the Mass^{a} into which service a number of men on the Western frontiers have Enlisted made it later than I Intended before the Posts were made up, & the Troops now consists partly of Imprest men, those that are Impressed are in general to be relieved monthly which creats a heavy charge on the regim^{t} they belong to & brings an unequal & grievous Tax on the lower rank of People so that I recomend it as a matter worthy your consideration to concert measures more equal & less burthensome for the future to the People subjected to Impresses for this service.

The difficulty there was in providing Arms for the Troops in the Louisbourg Expedition prevailed on me to send the arms out of his Maj^{tys} Fort Wm & Mary for which there was no charge made, some have been return'd and I shall direct Coll. Moore to Present a List of what have not been returned in order to their being replaced.

Gentlemen of the Council & Assembly,

Your Publick Concerns in this Session will admit of no Delay, but require [P. 517.] your closest application & in order to give the quickest Dispatch to what lyes before you I am hopeing you will unite & make it your universal care to remove every Impediment to the Progress of business. Then unreasonable cloggs let them be never so artfully cloathed will cease to take place & you may confidently hope for the Divine blessing on your Honest Endeavours for the Publick good.

B. WENTWORTH.

Council Chamber in Portsm^{o}
May the 10th 1748.

Mr. Speaker pray'd a copy of his Excelency's speech which was orderd him & the House withdrew to their chamber.

Adjourned till to morrow 9 o'clock A. M.

Wednesday, May the 11th 1748.

Present [as before.]

A Petition signed John Tolford & Thos. Willie Praying for soldiers to be posted at Chester &c. read & sent Down.

The Petition of Saml Penhallow Praying the consideration of

the General Court relating to his wages agreed for as Comissary in the Canada Expedition read & sent Down.

The Petition of Daniel Moulton & Eliza his wife Praying the Court would take under consideration the subject matter of their Petition & order a rehearing of the case at the Superiour Court between one Joshua Crocket & the Petitioners & suspend Execution &c. which was read & sent Down.

Adjourned till tomorrow 10 o'clock A. M.

Thursday May 12th 1748. Met according to adjournment.

Present [as before.]

[P. 518.] Mr. Memurphy bro't up the Petition of Daniel Moulton & wife as entred yesterday & vote of the House thereon for granting a hearing & notifying the adverse Party which was read at the board & concurr'd & assented to by the Governour.

The Petition of Capt John Goffe Praying for some soldiers to be posted at Sowhegan &c was read & sent down.

Adjourned till tomorrow 11 o'clock A. M.

Fryday May 13th 1748. Met according to adjournment.

Present [as before.]

The Petition of Capt. Job Clements & men Posted at Rochester for security of that place Praying for the usual allowance of rum read & sent down.

The Petition of Phineas Stevens in behalf of the Inhabitants of Contoocook & Canterbury Praying a greater Number of soldiers & for an additional allowance for billeting the men read & sent down.

Adjourned till tomorrow 10 o'clock A. M.

Saturday May 14th 1748. Met according to adjournment.

Present

[Councilors as before.]

Mr. Knight from the House bro't up the Petition of Joseph French & others as Entred the 21 of November last relateing to the Proceeding of a Town meeting in Dunstable in calling of & voting a Salary to Mr. Sam[l] Bird &c. (1) as a minister & vote of

(1) The abovesaid petition and proceedings relative to the difficulties in Dunstable, now Nashua, are found in the Secretary's office, in MS. Vol. II, "Towns."—ED.

the House for granting the Prayer thereof & setting aside the Proceedings of s^d meeting which was read at the board & concurr'd.

Adjourned till Monday next at 12 o'clock.

[P. 519.] Monday May the 16th 1748.

Met and adjourned by his Excelency's order till tomorrow 10 o'clock A. M.

Tuesday May 17, 1748. Met according to adjournment.

Present his Excelency the Governour.

George Jaffrey	Esqs.	Saml Smith	Esqs.
Jotham Odiorne		John Downing	
Henry Sherburne		Sam^ll Solley	
Ellis Huske		Sampson Sheaffe	
Theo'd Atkinson			

The Petition of Leah Nutter & John Nutter Praying for a rehearing of a case at the Comon Law for reason set forth in the said Petition — read & sent Down.

Alsoe a Petition of Clement March Praying to have Part of his Estate now lying in Portsm^o set off to the Parish of Greenland where the rest of his land lyes — read & sent down.

The Petition of Col. Joseph Blanchard Praying to have the votes of a Town meeting holden at Dunstable on the 12th of March last set aside & an other meeting called &c. read & sent down to the House & returned again by Mr. Memurphy with a vote of the House thereon for a hearing of the Parties &c. which was read & concurr'd & assented to by the Governour.

Mr. Sandburne from the House bro't up a vote Desireing his Excelency would cause the Inlisting or Impressing forty effective men, 20 to scout between Chester & Rochester & 20 at Contoocook which was read & send Down for an amendment.

Adjourned till tomorrow 10 o'clock A. M.

Wednesday May 18th 1748. Met according to adjournment.

[P. 520.] Present [as before.]

Mr. Knight from the House brought up the Petition of Saml Penhallow as Entred the 10th Inst. for a further allowance as Comissary to the Canada Expedition & vote of the House for an allowance thereon, which was read & concurr'd & assented to by the Governour.

Adjourned till to morrow 10 o'clock A. M.

Thursday May 19th 1748. Met according to adjournment.

Present [as before.]

The Petition of Mr. Stephen Greenleaf & James Stutley Praying a further consideration for the hire &c. of the sloop lately in the Province service in Transporting French Prisoners to France, read & sent down to the House.

Adjourned till tomorrow 10 o'clock A. M.

Fryday May 20th 1748. Met according to adjournment.

Present [as before.]

Coll. Wallingford from the House bro't up a vote for a further allowance to the soldiers which vote was read at the board & concurred & assented to by the Governour.

[P. 521.] And alsoe an allowance on an acc^t of Walter Warren for going Express to Exeter & Hampton read & concurred at the board & assented to by the Governour.

And alsoe an allowance on an acc^t of George Warren for iron work for mending the Prison &c. read & concurr'd by the Council & assented to by the Governour.

The Council took under consideration the vote of the House of the 17th inst. as then Entered for an addition of 40 men on the frontiers & concurred the Same.

Adjourned till tomorrow 10 o'clock A. M.

Saturday May 21, 1748. Met and adjourned till Tuesday next at 10 o'clock A. M.

Tuesday May 24th 1748. Met according to adjournment.

Wendesday May 25th 1748. Met according to adjournment.

Present [as before.]

[P. 522.] Mr. McMurphy from the House bro't up a vote for a full & final allowance to Saml Downs formerly wounded in the Province service, & alsoe

A vote for an allowance to Eliza & Mary Downs as nurses to the s^d Samuel Downs.

Mr. Sandburne bro't up a vote of the House for rectifying a mistake in making up Maj^r Davis's muster roll which Passed the 20th of November last & vote of the House thereon for an allow-

ance to the Major Davis the sum of 40*s* & one Penny which was read at the board & concurred.

Adjourned till tomorrow 10 o'clock A. M.

Thursday May 26, 1748. Met and adjourned till tomorrow 10 o'clock A. M.

Fryday May 27th 1748. Met according to adjournment.

Present [as before.]

The Council took under consideration the Petition of Daniel Moulton & wife as Entered the 11th inst. & it appearing to the board that there was a point of Law to be Determined in the case permitted the Parties to be heard by Council which being Done the Question was put weither the Council would concur with the vote of the House for the granting the *the* Petition &c. and it Passed in the negative.

[P. 523.] Mr. McMurphy from the House bro't up the Petition of Joseph Blanchard, Esq. relateing to a Town meeting as Entred the 17 Instant & vote of the House thereon for setting aside the votes of the Town meeting in the sd Petition referred to and directing a method for calling & managing an other meeting in said Town which vote was read & non concurr'd at the board and another vote Passed in Council thereon & sent down, which was returned from the House non concurred & a vote of the House for adheiring to their first vote, which last vote was read at the board & concurred & assented to by the Governour.

Alsoe a vote of the House appointing Mr. Daniel Peirce one of the Trustees for managing the £25000 Loan in the room of Joseph Peirce Esq. Deceased.

Alsoe a muster roll of Capt. Ebenezr Eastmans for himself & Compa at Pennycook & vote of the House for an allowance thereon read at the board & concurred & assented to by the Governour.

Alsoe a vote for choice of a comitee of audit on the Treasurer's accts & for Telling over the money now in the Treasury to be burnt.

Alsoe an acct of Mrs. Sarah Priest for hire of two rooms for the use of the General Assembly & vote of allowance thereon which was read & concurred.

The Pitition of Ebenzr Eastman in behalf of Joseph Pudney a soldier formerly wounded in the service praying that the sd Pudney might be posted at some garrison in Pennycook (1).

(1) See a notice of Joseph Pudney and of his petition, in "Bouton's History of Concord," pp. 178, 179.—Ed.

Messrs Jennes, Knight & Levit from the House bro't up a vote for Paying to his Excelency £250 in full Discharge of any arrears or deficiencies in his Excelency's sallary for the year 1747 to the 12th of December Last.

Adjourned till tomorrow 10 o'clock A. M.

Saturday May 28th 1748. Met according to adjournment.

Present

[P. 524.] [Councilors as before.]

Mr. Israel Gillman from the House bro't up the following Papers & votes, viz.

An allowance to the Secretary as a Sallary for the year 1747 to the 25th of March last.

An allowance to Benja Acreman for Do as Doorkeeper for Do.

An allowance to Thos Packer for Do as high Sheriff for Do.

An allowance to Mr. Langdon (1) for Praying in the House of Representatives for Do.

Alsoe the Petition of Joseph Pudney as entred yesterday & vote of the House thereon granting the prayer thereof.

Alsoe the Petition Joseph Newmarch & Matthew Livermore Esq. as agents to the Town of New Castle Praying to be Enabled to receive an allowance formerly voted to the sd Town &c.

Alsoe a vote for the Trustees for managing the £25000 Loan to lay the state of that Loan before the Genll Assembly.

Alsoe for the Comittee for repairing Fort Wm & Mary to lay their accts before the Genll Assembly.

Alsoe a vote for the Comittee for managing the £15000 Loan Directing the sinking of that sume as soon as may be.

Alsoe that the Louisbourg & Canada Comittees of Warr Lay their several accts before the General Assembly.

Adjourned till Monday next at 10 o'clock A. M.

Monday May 30th 1748. Met according to adjournment.

[P. 525.] Present

[Councilors as before.]

There not being a Quorum of the House his Excelency adjourned the General Assembly till tomorrow 10 o'clock A. M.

(1) Rev. SAMUEL LANGDON, afterwards President of Harvard College, was ordained as pastor of the First Congregational Church in Portsmouth, February 4, 1747, and dismissed October 9, 1774.—ED.

Tuesday May 31, 1748.

Present

[Councilors as before.]

The Council took under consideration the several votes of the House for sund^y allowances as sent up & Entered on Saturday last & concurred the same.

Adjourned till tomorrow 10 o'clock A. M.

Wednesday June 1, 1748. Met according to adjournment.

Present

[Councilors as before.]

Mr. Knight from the House bro't up the report of the Comittee for Telling & burning the money in the Treasury viz.

That they had rec^d from George Jaffrey Esq. Treasurer as part of the Tax for the year 1742 old Ten^r	£278: 14: 3
Alsoe from s^d Jaffrey as Part of the £15000 Loan old Ten^r .	64: 4: 9
Alsoe from Do. being Part of the outstanding Debts of the Province Tax for the years 1743-1744-1745 & 1746 being of ye N. Ten^r	£209: 15: 10
Alsoe from Do. as Part of ye Tax for the year 1747, N. Ten^r .	713: 10: 0

Which several sums were burnt to ashes in the sight of the General Assembly & a vote of the House for Discharging the s^d Comittee of the above s^d sums which vote was read at the board & concurr'd.

Adjourned till tomorrow 10 o'clock A. M.

Thursday June 2^d 1748. Met according to adjournment.

Present

[Councilors as before.]

Mr. Knight bro't up a Bill for Prescribing a method to be observed in guaging Cask as Passed in the House which was read at the board a first time.

Mr. McMurphy from the House bro't up a vote for makeing the Parish of Somersworth a Town by itself,— which was read and Debated & ordered to Lay for consideration.

Maj^r Davis from the House bro't up a vote granting a further allowance or bounty on Indian scalps &c. which was read at the board & concurred & assented to by the Governour.

Jotham Odiorne, Henry Sherburne & Ebenez^r Stevens Esq. bro't in to this board a rec^t signed by Mr. Treasurer Jaffrey for 2368 sheets of money of the great Plate & 1670 sheets of the small Plates & 2 : 6 other money being part of the money Impressed for

the Canada Expedition & put into the Treasury by the above s^d^ Persons as Part of the signing Comittee for said money the rec^t^ being Entered the s^d^ Odiorne &c. withdrew the original rec^t^.

Adjourned till tomorrow 10 o'clock A. M.

Fryday June 3^d^ 1748. Met according to adjournment.

Present

[Councilors as before.]

John Downing & John McMurphy Esqs. & Mr. John Sanburne Part of the signing Comittee of the £6000 made for the Canada Expedition Produced a rec^t^ from Mr. Treasurer Jaffrey for 1666 [P. 527.] sheets of the great Plate which s^d^ Jaffrey acknowledged to have received as part of s^d^ money of the s^d^ Persons.

Mr. Wear from the House bro't up an acc^t^ of Capt Mark Langdon & vote of the House thereon for an allowance which was read at the board & concurr'd & assented to by the Governour.

Alsoe a Bill for amending High ways &c. read ye first time.

Alsoe a Bill for rating the Land in Nottingham West for & towards the building a meeting &c. read & concurr'd and assented.

Mr. Wallingford from the House bro't up a Bill relateing to the choice of Town officers &c. read a first time.

Alsoe sund^y^ acc^ts^ of Coll. Gillman supplying several scouts &c. with Provision & vote of the House thereon.

Alsoe Sund^y^ Acc^ts^ for Delivering Provisions &c. to scouts by John Gage Esq. & vote of the House thereon.

Alsoe an acc^t^ of Wm. Parker Esq for Drawing Acts making fair copys &c. of sund^y^ Papers and vote of allowance thereon read & concurr'd.

Alsoe a Bill for setting aside the Proceedings of a Town meeting at Dunstable & Directing the s^d^ Town in holding another meeting for choice of officers &c. read & concurr'd at the board & assented to by the Govern^r^

Adjourned till to morrow 10 o'clock A. M.

Saturday June 4th 1748. Met according to adjournment.

[P. 528.] Present his Excelency the Governour.

George Jaffrey Jotham Odiorne Henry Sherburne Ellis Huske Theod^r^ Atkinson	Esqs.	Saml Smith John Downing Saml Solley Sampson Sheaffe	Esqs.

Mr. Gage from the House bro't up his own acc^t^ for transporting Provisions to the frontiers & Delivering the same to the soldiers

Posted there & vote of the House for an allowance thereon which was read at the board & concurr'd.

Mr. Mcmurphy from the House bro't up a vote for appointing a Comittee to treat with the claimers of Mason's right to the Province & to purchase the same — which was read at the Board & concurr'd.

Mr. Levit & Bell from the House bro't up the Treasurer's & Comittees Acc^{ts} of the Expenses of the Louisbourg Expedition & vote of the House thereon — which was read at the board & concurr'd.

The Council took under consideration the vote of the House of the 20th May last appointing Mr. Daniel Pierce one of the Trustees for managing the £5000 Loan in the room of Joseph Pierce Esq. Deceased & concurr'd the same which was alsoe assented to by the Governour.

Alsoe a vote for Printing several Acts &c, Passed this session — there not being Time for read^{g} & considering of the s^{d} acts &c. Or^{d} That the vote Lay upon the Table.

His Excelency sent the Secretary to the House to Enquire of the Speaker weither there was anything now before the House that would come up this forenoon — The Speaker gave for answer that there was nothing before the House — which Being delivered by the Sec^{y} to his Excelency he was pleased to Disolve the General Assembly & to send the Sec^{y} to the House to acquaint them thereof — which was accordingly Done.

Dissolved

Haveing set three years.

IMPORTANT DOCUMENTS.

COMPRISING

LETTERS AND PAPERS RELATING TO PRECEDING MATTERS IN THIS VOLUME.

NOTE BY THE EDITOR.

[At the time when the following Addresses to the King were written the government of New Hampshire was in a very distracted state—particularly with regard to Governor Belcher, who had a strong party in his favour, but a stronger one against him. The two Petitions or Memorials which follow, were evidently written by persons in Mr. Belcher's interest; but Mr. Thomlinson's petition discloses the ground of opposition to him.]

Petition to the King.

[Copied from MS. "Addresses to the King" in Secretary's office, pp. 16–33.]

To the King's most Excelent Majesty.

The Memorial of the major part of your Majestys Council for the Province of New Hampshire in New England.

Most Gracious Sovereign

We, your Majesty's most Loyall & Dutifull subjects humbly implore your gracious permission to lay before your Majesty both our gratefull and dutifull acknowledgment of your Majesty's Royal Grace and Favour, of which we have long felt the happy effects; and some of our publick grievances the weight of which greatly oppress us and tend much to interrupt our attention to the many invaluable Blessings we enjoy under your Majestys most clement and auspicious Reign: To alleviate which burden we most earnestly beseech the Royal Interposition and that your Majesty would vouchsafe your gracious aid.

The long experience that all your Majestys subjects have had of your tender regard to their happiness and readiness to hear and remove the ground of their complaints and which we of this Province notwithstanding our diminutive figure among your Majesty's Dominions, and remoteness from the Royal Presence have had reiterated Instances of gives us undoubted hopes of being patiently heard while we discover the source of our present grievances, and seasonably relieved in the way that Royal Wisdom and goodness shall direct.

May it please your Majesty,

When his Excellency Governour Belcher first arrived here he communicated to the Council and Representatives your Majestys Royal Instruction for chusing Commissioners for settling the boundaries between this Province and the Massachusetts Bay, in consequence whereof a choice was made and committees were appointed on both to settle Preliminaries, but the attempt proving ineffectual, a small discontented party here (and what government has not some such) a few of the Council and some of the Representatives laid hold of y^{t} opportunity and because the Governments did not agree gave out, that they would undertake to have the boundaries settled at home if the Province had an agent there without any Expence to the Government till the matter should be effected.

Upon which plausible pretence, two or three designing and seven or eight undiscerning persons of the Representatives chose Mr. Rindge Agent and sent their vote to the Council for concurrence, who well knowing Discontent arising from ambition of being at the head of the administration was at the bottom and plainly perceiving the pretence of getting the line settled was nothing but a colour of obtaining an Agent who was to be employed in procuring a new Governour, since your Majestys present Governour was not so obliging to the Male-contents as to fill the best post in the government with them, utterly disagreed with the said vote apprehending the scheme as it then stood to tend vastly to the hurt if not to the utter undoing of the government, since which there has been for the most part a misunderstanding between the Council and Assembly about settling the line as the Representatives call it, but in reality about obtaining another Governour.

Agreeable to which conjecture of your Majestys Council concerning the aforesaid Scheme (tho' speciously glossed and colour'd with the pretence of getting the Boundaries of the Province settled to amuse the People) We understand that several Petitions have been presented to have this Province put under a Governor distinct from that of the Massachusetts and have so far prevailed that the Right Honble the Lords for Trade and Plantations have reported that it would be for your Majestys service and the good of the Colony that it should be so; which Report (with great defference to their Lordships superior understanding) we humbly conceive to be grounded on a mistake of the true state of the case.

For in case of a War with the French and Indians without the assistance and protection of the Massachusetts the Province of New Hampshire would be inevitably depopulated and swallowed up. For proof of which we need look no farther back than Queen Anne's War in which the Indians alone would have done the busyness, had not the Government of the Massachusetts spread their wings and covered and saved us; and even in the Wars which we had with the Indians in his late Majestys Reign the standing army and companies of volunteer souldiers from the Massachusetts which were always in pursuit of the Enemy, were as Walls & Bulwarks round New Hamp^{r} and this is much more likely to happen if a distinct Governor should be appointed, than as the case is at present. In a word we may justly venture to affirm upon the most rational grounds and the best view of past times, that had it not been for your Majestys Province of the Mass^{a} Bay there would not at this day been a New Hamp^{r} in the number of the British Colonies.

We beg your Majestys favour further to observe how intirely groundless and even malevolent that suggestion in the late Petition for a distinct Govr over New Hamp^{r} is that this Government is under a great disadvantage and suffers much by being under a Governor who is a native of the Mass^{a} and who has the Government of that Province also at the same time by his having a favour and partiality to that in prejudice of this, &c. There have been two publick Ratifications of the Peace with the Indians since your Majesty's present Govr has had the charge of these Governments, the one at Falmouth in the year 1732, the other at Northfield in the year 1735, places near two hundred and fifty miles distant from each other, in both which New Hamp^{r} has been represented and included by virtue of his Excellencys being the Governor of that Province as well as that of the Massachusetts and has hereby reaped and enjoyed the sweet fruits of a continued Peace without a farthing charge to the

Government for purchase, and at sundry times since the year 1736, the Indian Sachems or Chiefs have made visits to the Province of the Massachusetts at which times they always expect and receive large presents (for whoever would keep peace with them must purchase it) and all this has been done without any charge to New Hamp^{r} no more than if that Government had been no ways affected or benefited thereby. These things used when New Hampshire was not under the same Governor with the Mass^{a} to be of considerable charge and Expence which has been saved to this little Province ever since Governor Belcher has had the commission.

This, *May it please your Majesty*, is far from being an Evidence of partiality in his administration to the Mass^{a}. To this we may add that the Peace settled by that Government with the Indians is on such a foundation that it makes them fond of it; or else it would not have lasted so long, for by the Trade established with them they are supply'd with what they buy at the prime cost, without a farthing advance at Truck houses maintained at the charge of the Government, far in the country for their conveniency, this the Indians find to be vastly for their advantage (and nothing but what is so will secure their Friendship) since the French to whose Interest they are strongly attached cannot supply them at so cheap a rate.

Now this is a scheme which was never in the power of New Hamp^{r} to Execute, the charge of maintaining one of those houses being near as much yearly as the annual charge of this whole Government. And had not that Government contrived and executed this Plan we believe we should never have seen nor felt the blessed effects of it which have been a long Tranquility and Quiet repose in a Quarter where we used to be most molested, and under the greatest fears and apprehensions of Danger, but what adds to the benefit is, that it has cost this Government nothing. Now all these are advantages too great to have been obtained or even expected for nothing and which indeed would have cost us Dear had it not been for that Government and the Same man & head and father to both Provinces. This is so far from being as the afores^{d} Petition suggests, That the lesser Government will always feel the weight of the greater, that on the contrary the greater has always bore the lesser upon its shouldiers or rather nourished it like a mother in its bosom.

In fine, if we might presume to make comparisons we could say there is no Instance wthin your Majestys large Dominions of one Government supporting & nourishing another in which it has had no Interest, at its own charge in the manner that the Massachusetts has done New Hamp^{r} which has been principally owing to their having the same Govr.

It is true indeed there has been a long Dispute between them concerning their respective Boundaries on the dividing Line which might long ago have been ended had their not been faults on both sides but that does no ways Invalidate the truth of the aforesaid facts.

May it Please your Majesty, If this is the State of past facts respecting these Provinces, it is strange that any man can pretend it would be for your Majesty's service and the good of this Province to be under a distinct gov^{r} for in that case the salary must be doubled at least for no Gentlemen that should be honoured with your Majesty's Comission for this Government and has no other support (but his private fortune) would think one hundred & Twenty pounds ster: (the salary paid your Majesty's present Governour) a sufficient allowance; and by what rules of Logick or Politics it can be made out that it is for the good of a People that can't defend themselves against their Enemies, that groan under the burden of one hundred and twenty pounds ster: a year to their Governour and by their representatives have told him once and again they were so poor they could not put themselves into a condition of Defence nor even pay their just Debts to their yearly Creditors for service done and constantly doing the Government even when many of those creditors had a dependance on that service to procure them bread, we say how it can be made out to be for their good to pay Two Hundred and Forty Instead of one Hundred and Twenty pounds a year, we are at a loss to conceive; and which way it will be for your Majesty's service and honour is altogether inconcelvable to

us, unless those wise and just principles by which your Majesty has always governed your subjects are to be reversed and the opposite Maxims established, (viz.) That your Majesty's Honour and service would be promoted by adding to the weight of a People already oppress'd and overladen and further impoverishing those already Poor.

This addition to a Salary is but one example among a multitude of additional charges that would accrue to this Government in case it was to be put under a distinct Governour, every Instance that we have before given of the aids received from the Mass^a would give us occasion of relaxing the purse string, & if some of those cases should happen as that of a war and the neutrality of our neighbours we need not say what its likely the event would be unless your Majesty granted the necessary and timely aids.

There are many other things that might be mentioned to prove the point we are upon, but the fear of being tedious obliges us to pass them over in silence.

But from what has been said we humbly conceive it must abundantly appear to be more for your Majesty's service and for the good of this Province (which we conceive are things necessarily connected) and a considerable expence to the Crown prevented by having this and the Massachusetts Province under the same political Head and your Majesty's immediate Representatives in both Governments united in the same Person and we might justly challenge the Petitioners for a charge to shew one instance of any real disservice to your Majesty's interest here or the good of this People by such an union, Nay they are so far from being able to do that, That they cannot produce so much as an Imaginary Instance of Injury to this Prov: thereby, Except perhaps the matter of the Line, and that upon a thorough examination would appear to be only Imaginary, for it is undoubtedly true that that affair would not have been in the forwardness it is now in, nor so near an Issue had the Provinces been all along under distinct Governors.

This might easily be made out had not this Memorial already run into too great a length.

But we pass to take notice that the said Petitioners observe this Province is in a defenceless condition, and it is true. But where lies the fault? Has not your Majesty's present Governour again and again recommended that matter to the Assemblies here as the Right Honourable the Lords for Trade and Plantations in their Report to the Lords of the Privy Council take notice? Nay in the last Memorial made for a Separate Governor the Memorialists do not pretend to lay the least Imputation on this head or any other to the present Governor.

But what has been the Excuse for neglecting a thing of that Importance? The Poverty of the People.

If that has been the case how will that be helpt by a new Governor, Can it be rationally suppos'd he would enrich the Province? Indeed the Schematists here give out among the People and amuse them to make them willing for such a change that when that is Effected the People of this Province may do what they please as to making Paper money having a free Trade &c. which does not seem to promise what their Lordships intimate in their said Report That the Acts of Trade and Royal orders are better comply'd with in the other than in the Charter Government.

And here we beg your Majesty's leave only to hint a way whereby this Charter Government might be curtail'd and one Erected & Incorporated in a State of more immediate Dependance upon the Crown, and that is by exchanging all the lands lying between the River Kennebeck and St. Croix which is near two hundred Miles upon the Sea Coast (being part of the Lands comprehended within the Mass^a Charter) for the Province of New Hamp^r to annex that to the Mass^a since it is so conveniently situated to become a part of that government and which that Province would perhaps agree to and give up all that Right to the Crown in the aforesaid Tract of Land whereby a Colony might be planted which in a little time would be of ten times the Importance to the Crown that New Hamp^r is.

Upon the whole we most humbly pray your Majesty that as all the aforesaid schemes and Petition which have often needlessly addressed and troubled

your Majesty and have been the foundation of a long misunderstanding between two branches of the Government here and much impeded the public weal and have been matter of great grief to all your Majesty's Loyal and Dutifull subjects here that have considered the matter which have taken rise from meer unreasonable discontent and disaffection may be overthrown, That your Majesty will be graciously pleased to defeat the ill-designs of crafty scheming men whose restless spirit will never be quiet till they are at the top of affairs.

And in mercy and compassion to this People continue them under the Government they at present Enjoy (unless the aforesaid Exchange might be made) which is as gentle and easy as can be desired and that (so long at least as your Memorialists live) one man may be the Governor of both these Provinces.

And your Memorialists and Petitioners as in Duty bound shall ever Pray &c.

Shadrack Walton
H. Sherburne
Richard Waldron
Ephraim Dennet
Ellis Huske
Joseph Sherburne.

Portsmouth in New Hampshire, in N. England, March 6th 1739–40.

Petition to the King.

[Copied from MS. "Addresses to the King," p. 46."]

To the Kings most Excellent Majesty

The humble Address and Memorial of sundry of your Majesty's most dutiful and loyal subjects Residents and Freeholders within your Majesty's Province of New Hampr in New England,

Sheweth:

That we have been lately informed of an attempt made by way of Petition to your Majesty to put this Province undr another Governor distinct from that of the Massa Bay, which created in us a surprise and no less an abhorrence of an essay so directly tending to the destruction of this your Majtes Province of N. H. & of the Rights & Interests of your Majesty, and of your good subjects within the same: Wherefore in duty to your Majsty, in justice to ourselves, and for the sake of your Majesty's loyal subjects the Inhabitants of this Province (who we humbly apprehend would be some of the most miserable & Distress'd persons upon earth if the above mention'd scheme take effect) We beg leave of representing to your Majty as follows:—That this Province is exceeding small, is in a very defenceless condition (the only Fort in it being quite gone to ruin) and the boundaries between this and the neighbouring Province not yet settled which are some of the unhappy circumstances which New Hampr labours under: But how much more unhappy (yea deplorable) would be its condition were it under a Governr distinct from the Massa Bay is almost inexpressible; For now we can ask succours (in case of a war) from the common head and father of both Provinces, with hopes of success, but what prospect can we have of such favours had New Hampr a distinct Govr especially too if it should so happen that he was not in good terms with the Govr of the Massa Bay? Again, it is beyond doubt, that many more would be the mischiefs among the Borderers on the unsettled divisional Lines of the Provinces than hitherto they have ever been, were they under two several Governors. But how it is possible N. Hampr having a seperate Governor should enlarge their bounds, mend their defenceless condition or the ruinous

State of the Fort or be any advantage in time of war or in any other respect, is to us mysterious & inconceivable, whereas We humbly apprehend the contrary is plain & manifest.

Most Gracious Sovereign

Happy have the People of N. Hamp^{r} been (poor and small as they are) yea thrice happy have they esteemed themselves ever since your Majesty's accession to the British Throne in being the subjects of so great and so good a king, endowed with every Royal virtue and shining accomplishm^{t} and while they were solacing themselves with pleasing reflections on your Majesty's unspotted Equity and conspicuous clemency even then were their joys enlarged by your Majesty's appointing Governor Belcher to represent your Royal Person in this Province, which your Majesty's Council & the House of Represent' at their second session after his Excelency's publishing his Comission here, in a most dutiful and thankfull address to your Majesty, amply express'd in the following words: "We yor Maj^{tys} most loyal & dutifull subjects the "Council and Representatives of your Maj^{tys} Province of N. H. in N. Engl^{d} "in America, should lay ourselves open to the imputation of highest ingrat-"itude did we not take hold of the first opportunity to place ourselves at "your Maj^{tys} feet in humble acknowledgm^{t} and hearty Thanksgiving for your "Royal beneficence in appointing Govr Belcher to represent your Maj^{tys} Person "at the head of this Governm^{t}, who is so equal to the trust and acceptable to "the People."

Again,—"It is inexpressible how the first intelligence we have had from "Whitehead of your Maj^{tys} grace and favour to N. England on that score ele-"vated our hopes; and if we are disappointed it is in this, that his wise, just "and unbias'd administration has exceeded our expectations and equal'd our "very wishes."

And what your Majesty's Council & the Representatives of your good People said then every man can wth truth say now, and it is what envy & malice united (not supported by falsehood) cannot contradict, yet it must be acknowledg'd there has not been that ease & serenity in the administration of Government since the Gentleman who holds the Lieutenancy has had the Commission for it and resided amongst us, as there was wont to be before, For his claiming the Chief Comand when the Govr has been at Boston and half the Salary, and his disobedience to the Gov^{rs} orders, together wth some other parts of his conduct which we omit mentioning (as our purpose, at present, is not to Exhibit a Compl^{t} against him in form however justly we might do it) have been the means of some embarrassm^{t} in the administration of Governm^{t}, and obstructions to your Maiesty's interest & to the ease and happiness of your faithful subjects here, wherefore

May it please yr. Majesty

With the utmost awe & reverence we would humbly beg leave to implore your Majestys protection from the projects of any one who would invade the felicities we enjoy und^{r} our present Govr, and that the counsels of those who are speciously pretending the Public good, but really meaning nothing but the accomplishm^{t} of their own aspiring and ambitious aims may be confounded, That our Constitution as it now stands may be Established, our Governor whom we highly honour & Esteem long continued over us, and the obstruction of your Majesty's interest & Honour and New Hamp^{rs} happyness removed. Thus in all humility and with the profoundest veneration we crave leave to remonstrate, and thus to Pray, and are

May it Please your Majesty,
your Maj^{tys} most Loyal,
most dutifull
most Obedient &
most faithfull subjects &
servants

(No date) (No signatures.)

NOTE. The Paper which follows, drawn up by John Thomlinson, Esq., will be found to be of great interest and value. It gives a more comprehensive and complete view of the whole dispute respecting the Boundary Lines, than can elsewhere be found. The attention of persons who wish to understand the subject is particularly invited to this Document.—ED.

Petition of John Thomlinson, Esq.

[Copied from MS. "Addresses to the King," p. 50, in Secretary's office.]

To the King's Most Excellent Majesty in Council,

The humble Petition of John Thomlinson, of London,

Sheweth —

That your Petitioner was appointed the Agent of the (late dissolved) House of Representatives of your Majestys loyal Province of New Hampshire in America.

That there hath been an Old Dispute of many years standing between your Majestys Small Province of New Hampshire, and the Great Charter Government of the Massachusetts Bay about their Boundarys.

That in the year 1729, Jonathan Belcher Esqr (a native and grantee of the Massachusetts Bay) was appointed Governor over both these Provinces by two distinct Commissions from your Majesty.

And by both Setts of your Majesty's Royal Instructions to him, your Majesty was pleased to take notice that those disputes had then long subsisted, and that it was for your service that the same should be adjusted, and therefore commanded him to use his Endeavors thereto.

That very far from his Endeavoring to procure the settlement of the said Bounds, the said Province of the Massachusetts Bay (to the Inhabitants whereof in General all the Lands in that Province are granted) Presumed upon their own natural strength and upon having their own Country man Governor over both Provinces, to set up the most Extravagant Demands, and instead of claiming three miles North of the mouth of the River Merrimack, they now lay claim to Three miles north of the Head of that River up within the main Land.

The consequence whereof would be the usurpation by them, to the disherison(1) of your Majesty's Crown, of more than one half of your Majesty's own Province of New Hampshire, and of the Tract of Land about Fifty five miles in width, and in length Extending through the continent of America as far as your Majesty's other Governments.

That on the 28th of February 1732, John Rindge, Esq. of your Province of New Hampshire, most humbly Petitioned your Majesty in Council complaining of the great Encroachments and Injuries done to your Majesty's Interest and Praying your Majesty's Settlement of the said Boundarys.

That from that time to this your Majesty's loyal subjects and *Tenants*, the House of Representatives of New Hampshire have been incessantly laboring against a continued series of very Expensive Oppositions from their Powerful Neighbors of the Massachusetts Bay to have the said Boundary settled.

That the said House of Representatives have herein acted most disinterestedly to preserve your Majesty's undoubted Right in regard that tho' they should prevail not one foot of such lands belong to them, but to your Sacred Majesty; Whereas, on the other hand, the Body of the People in General in the Massachusetts Bay, claim the Property of all lands which they can any how get to be considered as within their Province.

That after many repeated Endeavours used by the said Massachusetts Bay to defeat and baffle the said Mr. Rindge, It was commanded by order in Council of the 9th day of February 1736, that a Commission should Issue under the great Seal to Commissioners to settle the said Boundarys, that those Commissioners should be directed to hold their first meeting on the first of August 1737, that in case each of the Provinces should not lay before the Com-

(1) The act of disheriting.—*Web.*

missioners (at their first meeting) the names of two Public officers appointed by them, and likewise a full state of their claims in writeing, the Commissioners should proceed *Ex parte*, and that when the Commissioners should have made their determination they should appoint a future day to receive the appeals of either Province, but if either Province should not at that appointed day file their Appeal or Exceptions before the Commissioners, that then no Exceptions should be afterwards received or admitted.

And to the End your Majesty's gracious purpose might not be frustrated, the said Order in Council contained further Directions that the Lord's Commissioners for Trade should write to the Governour of the Massachusetts Bay and New Hampshire for him to recommend to the respective Council and Assemblys of the said Provinces to appoint the two Publick officers and send their names to the Commissioners at their first meeting, together with the full state of their demands, and that he should acquaint them that in case of their Omission so to do the Commissioners were to proceed *ex parte*.

That accordingly on the Eighteenth of Feby 1736, the Lords Commissioners for Trade did write to the said Governour Belcher Requireing him to take particular Care without any Delay to carry every part of the said Order so far as the same might lye in his Power into Execution, and the said Lords Commissioners inclosed the said order therein, and the said Governour received the said Order and Letter on the Twenty second of April 1737, and by his answer thereto owned the Receipt thereof accordingly and promised to pay a strict obedience thereto.

And the Commission afterwards issued on the Ninth of April 1737 directed to the Commissioners appointed by your Majesty, and the Commissioners accordingly held their first meeting on the said first of August 1737.

That the said Governour Belcher had received Information of the said Order in Council before the first day of April 1737, (tho' he did not receive that, and the Lords of Trade's Letter in form until the Twenty second of the same April) and resolved from the beginning at all Events to disobey the said order in Council, and to defeat your Majesty's said Commission and to prejudice your Majesty's service and your Rights in New Hampshire, and as the Council and Assembly of that Province could not possibly be held in New Hampshire (without his Permission) nor could not possibly choose and appoint their two officers, or deliver in the names of such officers or make up and deliver a state of their claims to the Commissioners on the first of August (unless they were suffered to meet before that first of August) so the said Governour on the first of April 1737 prorogued the New Hampshire Assembly to the sixth of July; Upon the said Sixth of July, he by a Proclamation dated at Boston about the Twentieth of June again prorogued them to the Fourth of August (three days after the Commissioners first meeting was fixed and appointed by your Royal Commission) and as if this had not been enough, on the Fourth of August the said Assembly was yet again prorogued to the Tenth of the same August (nine days after the Commissioners first meeting) without being permitted to meet or set one moment in all that Time.

That the said Governour Belcher behaved exactly the reverse in all points with regard to his own native Province, the Charter Government of the Massachusetts Bay, where he not only permitted the Assembly to meet and set, long and often between the Twenty second of April and First of August, but by his repeated Messages to them from time to time prest them most earnestly to prepare for their Defence, and the said Governour after he had printed in the *Boston Gazette* his Proclamation whereby he had prorogued the New Hampshire Assembly over to the Fourth of August, sent a Message to the Massachusetts Assembly for Money, but they refused to consider the same at that time as thinking the said Governour had not yet done them service enough.

That this partial and arbitrary Behaviour of the Governour's did not produce the whole of its desired effect, for the Commissioners met on the first of August and your Majesty's Assembly of New Hampshire did all that men could possibly do, in their situation, and a Committee having formerly been appointed by that Assembly, that Irregular Committee named Two Publick officers for New Hampshire and Exhibited a claim in due time, upon the said

first of August to the Commissioners and took the utmost care they could to support your Majesty's Right; and your Majesty's Commissioners seeing how your Majesty's Order and Commission had been treated, were so just to receive and proceed upon such claim on the Part of New Hampshire.

That on the tenth of August and some few days after, while the Commissioners were proceeding the said Governour Belcher permitted the New Hampshire Assembly to meet, and on the second of September 1737, the Commissioners pronounced their long and special determination consisting of several Different points and on that day the Commissioners adjourned to the 14 of October, then next in order to receive the appeals of either Province.

That it then became as necessary as ever that the Assembly should set to get a Copy of the Commissioners Judgment and to consider the same and prepare and settle their appeal, which by your Majesty's order and commission was to be presented on the 14th of October or else was never afterwards to be received.

That the Said Governour kept his own Massachusetts Assembly setting for many days after the said second of September, until they did get and consider a copy of the Commissioners Judgement and until such time, as they sent to him and acquainted him they had finished all their Business and desired to be adjourned, then and not till then he adjourned them to meet at Salisbury (close by where the Commissioners were to meet) on the 12th of October, two days before the Commissioners were to meet.

But with respect to New Hampshire, the said Governor Belcher on that very second of September prorogued their Assembly before such time as they knew or had heard even so much as the General Purport of the Commissioners Determination, to the 13th of October, the day next immediately preceding that on which (if ever) the appeal must be presented on the part of New Hampshire.

And when the Day came, lest the Province of New Hampshire should still be capable by their diligence (of which he had seen most unwearied Instances in the long course of this affair) to present any appeal at all (which appeal was directed by your Majesty to be made by the Province) he took care that the Council of New Hampshire should not meet in Assembly until the 17th of October (three Days after the time of appealing was over) so to make it Impossible for the Province, (if that word intendid the Governour, Council and Assembly) to appeal at all, and he himself kept out of the Province of New Hampshire until after the time for appealing was over.

That this unjust Scheme of the Governours also your Majesty's House of Representative of New Hampshire prevented from takeing place, for they and they alone after waiting to the last moment of time for presenting an appeal, presented their own vote of Appeal to the Commissioners, which the Commissioners in great Justice received and have Returned to your Majesty.

That on the said 14th of October the said Governour joined with the Council and Assembly of his own Charter Province and made up their Appeal in form and the very hour that he had so done and had also made it impossible for New Hampshire so to appeal he then renewed the Request to his Massachusetts Assembly for money who a very few days afterwards Voted him Bills of the new Tenor for Three Hundred thirty three pounds six shillings and eight pence (Equal to Bills for one Thousand Pounds of the Old Tenor) for his late Extraordinary service to that Province:—

Which was part of the Price and Reward which the said Governour took for his studied Breach of your Majesty's Instructions, Order in Council, and Commission under the Great Seal; and in hopes of which Reward he took such Extraordinary methods to injure your Majesty's Right and to Encroach so vast a Quantity of your Majesty's Lands to himself and the other Grantees of his Charter Government.

That the said House of Representatives of New Hampshire appointed your Petitioner their Agent and on the 6th of September 1737, your Petitioner Presented an humble Petition of Appeal to your Majesty in Council, stateing these matters, and your Majesty was then pleased to referr the same to the Lords of the Committee of your Majesty's Privy Council before whom it now depends.

That the Appeal from Massachusetts was not presented untill the 18th of July and was referr'd on the 20th of July 1738, to the same Committee.

That all Endeavours have been used by the Massachusetts Bay to delay your Petitioner's said appeal being heard, and to prevent its being at all heard, and for that purpose about the 9th of October 1738, Francis Wilks and Richard Partridge of London, Merchants, (as Agents for the said Governour and the Council and assembly of the Massachusetts Bay) Presented a Petition to your Majesty Praying that your Petitioners said Petition, which came on the part only of the House of Representatives of New Hampshire, might be dismist, which last Petition your Majesty on the 12th of October 1738, Referr'd to the same Committee.

That as the last Petition was calculated for Delay and Obstruction your Petitioner himself immediately applied and brought the same on to a hearing, and by your Majesty's order in Council of the 30th of November 1738, the said Petition from the said Francis Wilkes and Richard Partridge was dismist.

And so the said Appeals stand at this time before your Majesty in Council.

That on the same 6th of February 1737, your Petitioners also humbly presented to your Majesty in Council an Humble Petition of Complaint from the said House of Representatives of New Hampshire (as drawn up by themselves in that Province) complaining of a long and continued series of oppressions, born by them from the said Governour Belcher, and complaining (amongst other things) of his said Partial and arbitrary Behaviour and Prorogations of them in the said affair of the Boundarys; which Petition your Majesty on the same day was pleased also to referr to the Lords of the Committee of your Privy Council.

And their Lordships by order of the 7th of the same February Required the said Governours Answer thereto, with all convenient speed; which order was served upon the said Governour the 21st of April, 1738. But his answer thereto was not Returned into your Majesty's Council office until the 21st of October following, Nor was it then brought in until after your Petitioner had given written notices to the said Governour's Son and other agents of an Intended Complaint to the Lords of the Committee, for the withholding the same.

That in said Governour's Answer he has in most explicit terms admitted his Proroguing the New Hampshire Assembly in the manner and at the several times herein before set forth.

But the said Governour having avoided authenticating copys of the Minutes, Journals and Proceedings of the Governour, Council and Assembly of New Hampshire (which the said Representatives had caused to be drawn out in order to support other parts of that complaint) and the said Governour not having sent home such Minutes, Journals and Proceeding to the Lords of Trade (as by your Majesty's Instructions he was commanded to do) your Petitioner on the 9th of December 1738, moved and obtained an order from the Lords of the Committee of your Majesty's Privy Council that the said Representatives or their Agent, should be permitted to search and take copys of such Minutes and Proceedings and that the same should be authenticated under the seal of the said Province: Which order your Petitioner forwarded to New Hampshire the very same night that it was made and the same in all likelihood is about this time arrived there.

And so the said matter of Complaint stands at this Time before your Majesty in Council.

That while the said several matters of Appeal and of Complaint are thus depending before your Majesty in Council for your Royal Justice and Relief therein, and after all other methods have been tryed by the said Governour to defeat the same, your Petitioner has (but two days since) received the most undoubted accounts that the said Governor Belcher has exceeded all his former Instances of Behaviour and has on the 17th day of November 1738, Dissolved the Assembly of New Hampshire.

That the said Governour by this last Act has (as far as lay in his Power) deprived the said House of Representatives of New Hampshire of the fruit of

their long and earnest Labours and above Eleven Hundred Pounds sterling Expense (here in London alone) to bring about your Majestys Desired Ends of settling the said Boundarys deprived them at present from bringing on the said depending complaints, and hopes that the Province of the Massachusetts Bay (whereof himself is a native) shall now have a full and unmolested opportunity to make their great and desired Encroachment upon so vast a Territory of your Majesty's, and to elude and escape the Justice of your Majesty in Council.

That your Petitioner is not aware that any Governour of your Majesty's hath ever before acted in so very Extraordinary a manner.

And, Forasmuch as your Majestys faithful subjects and *Tenants* of New Hampshire have been incessantly labouring by the utmost means in their Power to support your Majesty's Right and Interest there, but are wholly unable to support the same or themselves against these unwarranted oppositions from your Majestys immediate servant the said Governour Belcher, whose attachment to his own native and great Province of the Massachusetts leads him to committ these several arbitrary Proceedings and very many others too prolix to mention, to defeat them in such their faithful Endeavours.

Your Petitioner as the agent of the said late House of Representatives of New Hampshire and by their order, and for and in behalf of the most principal Inhabitants there, members of several late Assemblies and of others of your Majesty's Loyal subjects of that Province and also in his own Right as being very greatly concerned in the Trade, Navigation and Prosperity of the said Province, Most Humbly Beseecheth your Majesty that he may not be defeated in the Prosecution of the said Appeal and Complaint, And that your Majesty's Loyal subjects there may be immediately freed from being any longer under the most oppressive Government of the said Jonathan Belcher, And may be put under the command of a separate Governour (and not under the said Governour as the Massachusetts Bay) and may have all such other Relief as to your Majesty's great Justice and Wisdom shall seem meet.

And your Petitioner
as in the utmost Duty bound
shall ever Pray, &c.

(No date) Copy. John Thomlinson.
Indorsed "Thomlinsons Petition" about 1739.

[This is a very valuable Paper.]—Ed.

The Papers which follow, of Mr. Thomlinson, are a part of his correspondence with Theodore Atkinson, Esq., or other gentlemen of the New Hampshire Province. They are all of much value. Mr. Thomlinson's correspondence was extensive, and all show his earnest, persevering and successful agency in behalf of New Hampshire. His letters are too numerous to be all published in these volumes. They are preserved in MS. volume in the N. H. Hist. Soc., Concord, labelled "Belknap Papers."—Ed.

[P. 103.] London 14 July 1741.

Sir—

I wrote you yesterday and these are to acquaint you and the other gentlemen of your Province that the inclosed Petitions of Mr. Thomas Hutchinson and others were referred by his Majesty in Council to a Committee of Council and by them referr'd to the Board of Trade. The Lords of Trade sent for me & a Day was appointed to Enquire into the affair and notwithstanding we had no directions or indeed any Instructions from your Province ab^{t} it, or any thing to offer but what appeared upon ye face of the Petitions, The Lords reported upon it as you see by the copy of their Lordships report which I

have here inclosed you, which report we were in hopes the Lords of his Majesty's Privy Council would have considered last night, but now Mr. Hutchinson wanted time to procure some other proofs to make good the several allegations of those petitions, and must have time as there will be no more Committees until October, and then he will be heard by his Council against the report, but then he must enter into security to pay such cost as their Lordships shall please to impose on him; so as the case stands I thought it might not be improper not only to acquaint you of the affair, But also to send you the copy of those Petitions, & some observations (1) I made upon them when I was sent for to the Board of Trade, founded on some conversation I had mett with & from the Petitions themselves, and they may be a means to put you in mind of sending us something more explicit on those particulars, & others that may not so readily occur to us here.

The proofs that they Want are Chiefly how the dividing Line will intersect the last class of old Townships, and *their prejudice they will sustain thereby*, & an authenticated plan of the scituation and Boundary of all the Townships but more especially those old Towns.

Wherefore it might be very proper that you immideately send me also, a good and as correct and as well an attested Plan as you can get of all those Petitioning Townships, and let it be as large as possible and particularly expressive of all the old class of Townships, and also good proofs how the Boundarys of those old Townships have varied from their original Grants, and are still precarious & uncertain, &c. &c. Above all, make it as plain to us as you possibly can that the dividing Line running thro' those Townships can't be of the *least disadvantage or prejudice to the petitioners who shall fall in your Province*, and that nothing but such Boundarys as his Majesty has fixt, *can ever put an end to the contentions between the two Provinces.*

It will also be proper that you let me have as exact an account as you can of the particular times those petitioning Townships were granted, and how many of those very Townships, and also how many more new Townships that are not petitioners have been granted within your Province by the Massachusetts Bay, since the affair of the Boundarys was laid before his Majesty in Council first by Mr. Rindge, and how & to whom they were granted, and how far the proprietors have proceeded in settling those several Townships.

I should also be glad to know for what reason your Assembly in the year 1728 *desired to be annexed to the Province of the Massachusetts Bay*, & I should likewise be glad to know from you what number of Indians you may suppose you can at any time apprehend any Danger from, and w^t^ Distance they are from you, I would have you & your Friends once for all, Exert yourselves a little to send me with all speed all those and any further particulars you may conceive needfull upon the perusal of those Petitions, & let the principal things be as well authenticated as possible, and as to the Plan, &c. If you can do no better, you & Mr. Mitchell must certifie as Surveyor of his Majesties Wood & Lands in America, to be to the best of your Judgment a true [Plan] &c. &c. Get some others of the best rank to do so likewise, and let me insist that you do every thing you can in this affair, and it is expected here that you should do it.

But I would not have you conclude from my pressing you for those things so particularly y^t^ I have so much as *one Doubt about me, that those petitioners will succeed in* any the least Instance. I know they will not. But however don't let us faint at the Last, but let us have materials enough not only to finish this affair, but to finish it in such a manner as to load our adversarys with such censure & reproach as they can never be able in future to attempt any thing in prejudice to New Hampshire.

I have found in the Massachusetts votes of 1735 at least 25 Townships granted in your Province all in one day, & in some other votes of the year 1738 & 1739 some other Townships, but I have not any year compleat votes, and not many of any years & none of some years, but you will be able on your side the water to have them compleat for some years past, and collect

(1) See next article.—Ed.

from thence the grants of those several Townships, and I should also be glad to have a copy of the original grant of Haverill, & the class of old Towns, But more particularly Haverill, and I have at present, a Notion, however I came by it, That since the affair of the Boundarys came before his Majesty in Council, the Province of the Massachusetts Bay has granted away (6) or 7) new Townships in your Province, but that you will be able to find from their votes or some other ways, it might not be impossible by some means or other for you to find from some of those several petitioners how & by whom they were instigated to become petitioners, and know the Reason that induced them thereto, & that I should think might be made good use of; however I must leave that and every thing else to your prudence & diligence, and must hope you will not Neglect to do every thing in your power to drive the Enemy into their strong hold, so as never to dare to sally out again, you may depend on it they will find no Quarters here from

Sir, your most humb^l serv^t

[Mr. Atkinson?] John Thomlinson.

P. S. It may be that the change of Government that has happened in both Provinces may have chang'd the sentiments of some or most of those Petitioners, if so it may be they may be willing to become petitioners to be under your Government rather than the other, or at least disclaim what they have done, If so get such Petitions, &c.

[p. 104.] *Thomlinson's observations referred to in his Letter of July* 14, 1741.

A Difference arose between the Council and Assembly of the Massachusetts Bay, whether they should send home Mr. Hutchinson or Mr. Wm. Dudley on this very affair; at last for some good Reasons, Mr. Hutchinson was thought the most proper person. But then Mr. Thomas Cushing one of the members of the House of Representatives upon considering whether or No it might be so far proper for the Government to appear *openly as principalls* in the affair and it was thought most adviseable to prevail on several inhabitants of those Towns that are settled, and the proprietors of the other Townships lately granted to become Petitioners, and in order thereto Joseph Blanchard Esq. a member of the Assembly was sent to the Towns y^t are settled *to procure Town meetings to be call'd*, and to Entice those people to become petitioners, and to *depute Mr. Hutchinson*, Another of the Massachusetts Assembly, to come over and prosecute the affair here & in order to which he has received £300 of ye Publick money (1).

This, I think we can make appear as plainly as anything of so private a nature can be made to appear; Especially if it were not out of great tenderness to some particular persons who live in the Massachusetts Government, who cannot appear in this affair without prejudicing themselves. But the facts are so notoriously known, that I think they can hardly be denyed. But if it should be desired there will be several (very likely) on the spot that knows the thing; besides it most plainly appears to be so upon looking over the several petitions and observing how they are signed & attested by Jos. Blanchard & others, sometimes in the capacity of Clerks, at other times as Justice of the Peace, &c.

But, however, the petitions themselves are full of false facts, false Geography, false reasoning, and apparently calculated to impose upon his Majesty in Council & upon the Lords Commissioners for Trade & Plantations, and to make an infraction in those Boundarys which his Majesty in Council has settled in so solemn a manner after nine years troublesome *Legitation:* And

(1) In the margin — "C. Kilby, Esq:, B. Wentworth, S. Waldo, J. Barnard, B. Pollard's Letters" are referred to as authority for the above statements.—Ed.

then the consequence must be, instead of having one Line to settle between the Two Provinces as was the case, there must be an infinite Number of Lines that can never be settled, for the Lines or Boundary's of every one of those Townships are & will be as uncertain & precarious as the principal Boundary was (1), as is very plain: From the Boundary between the Townships of Haverhill, Kingston & Londonderry, more difficultys, Quarrels, Contentions & Lawsuits have been occasioned thereby and still subsists, and will subsist until the Boundary Line between the Two Provinces is actually seen, than ever were occasion'd upon any other disputed Boundary. But when his Majesties late most gracious determination is carried into Execution all those disputes, Difficulties & Contentions must absolutely cease and the Peace and tranquillity of Both Provinces be put upon a solid & lasting foundation and which the Province of the Massachusetts Bay so well knows, that they have made this attempt to make such an infraction and Breach therein as can never be heal'd or made up, and must End in the total distruction of his Majesties Province of New Hampshire.

After having premis'd thus much I will Beg leave to make a few General observations on the Petition.

And, first, on the introductory Petition sign'd by Thomas Hutchinson:

In the first place, it is said that the General Court of the Province *Several years since*, for great & Weighty Reasons, But more particularly to strengthen and secure their Frontiers &c granted out Thirteen Townships to be Laid out in two contiguous Lines reaching from Merrimack to Connecticut River.

Now by their *Several years since*, I suppose they would by no means have his Majesty to understand the Truth of the Matter, viz. That these Towns have been granted within these very few years, Even since the affair of the Boundary between the two Provinces were brought before his Majesty in Council for his royal determination, and therefore is it very Easy to Judge the General Courts great and Weighty Reasons for making those grants was, that they might have an after game to play, after his Majesty should have settled those Boundarys and concluded those Lands to be 30 or 40 Miles distant from any part of their Province, and which the General Court And every unprejudiced Man in both Provinces knew must be the case.

The Petitioner goes on in the next paragraph of his petition and says, Those lands were always understood to belong to the Province of the Massachusetts Bay, When at the same time they knew they were always claimed by the Province of *New Hampshire*, and that Province *sent regularly to forbid them to make any such settlement* (2), but they trusting in their superior Power & strength would proceed, and those lands could never be supposed to belong to the Province of the Massachusetts Bay by any but such as believ'd that the Province of the Massachusetts Bay was able by their superior Power or Riches to make what Encroachments they pleased.

And as to their other pretension that those Towns were granted to be a Barrier, from their very situation, That appears so ridiculous that it is not worth notice.

And then in the next Breath they say that the Massachusetts Bay did and will defend them, But New Hampshire is not able and also too remote, when it is very plain upon the face of the Plann that those grants are in the very heart of New Hampshire (3), and not only so, but New Hampshire is very capable of Protecting and Defending them at Present, and will be more & more so, Neither is there the least danger from the Indians or has there been for several years past, and should We have a Rupture with the French will it be against one Province more than Another, But must not All our American Colonies joyne in their mutual Defence.

The next paragraph I shall answer by asking only whether these settlers will be at a greater distance from their Relations & Friends by being concluded to belong to the Province of New Hampshire than the Massachusetts

(1) In margin —"B. Wentworth, Theo. Atkinson, Letters & Large Mapp."—Ed.

(2) Margin — "B. Wentworth."—Ed.

(3) Margin — "The Mapp."—Ed.

Bay, and must Defie them to show one Inconvenience that will attend them, while we can show several advantages.

In the next Paragraph the Petitioner comes to another class of Petitioners that says their Townships have been granted many years since, But it will appear they say so with equal Truth as the former class says several years since, and wt they farther say being of a piece with what the former class has said I shall not farther observe thereon.

Therefore I come now to the Third & Last of old Towns, which they say are Frontier Towns against the Enemy, and they say the Boundary Line will split the Parishes & Religious Societys to the utter subversion & Ruin of the said Parishes & Religious Societies.

As to their being Frontier Towns it will appear so scandalously false on the face of the Plan, that nothing ought to be said on that head. As to the other terrible consequences they would be understood to apprehend there can be no other Inconvenience attending it than the large Parishes in England that lies in two or three Counties suffer, which is not any at all that I know of, for these Townships are not merely Towns but Tracts of land much larger than any of our Large Parishes, over some 10 miles square and have only here & there a straggling settlement.

Therefore I think upon the whole this application must appear to be a most weak but wicked attempt of the unruly Province of the Massachusetts Bay to sap that Foundation which his Majesty in his great Wisdom had laid and fixt, and must be the only means of Establishing the lasting Tranquillity and happiness of both those Provinces, and should ever the least deviation be made from it, it might prove of the utmost bad consequence; But as I have before said, were any thing pray'd for in those petitions to be granted it would destroy every hope of future Peace, that his Majesty's Province of New Hampshire could suggest to themselves, for already the Boundary's of the single Township of Haverhill, as I said has occasioned more disputes than is possible to Imagine, and that would be the case with all the other towns.

And besides all this, all those Towns, and a great part of the other New Grants are within the proprietors claim, and therefore can by no means belong to the Charter government of the Province of the Massachusetts Bay. Neither can or will the *Proprietor* (1) consent to be under any Government but that of New Hampshire, Nor can those few misled Petitioners shew any one real Inconvenience that can arise to them by being under the Government of New Hampshire, rather than under the Government of the Massachusetts Bay, but the Contrary might fully be shown.

And should the least Encouragement be given to applications of this sort, upon the least disgust Every little Town in his Majesties North American Dominions might be spirited up to become Petitioners to his Majesty, to put them under this or that Province, and they are generally so infatuated all over North America with the false charms of Charter governments, that every Body would be Easily prevail'd upon to pray his Majesty to put them under some of his Majesty's Charter Governments.

John Thomlinson Esq. to Mr. Atkinson.

[P. 96.] London 9th of May 1741.

Sir—

Since mine to you of the 10th of April *Mr. Shirley has been appointed Governor of the Massachusetts Bay, and Mr. Wentworth Gov'r of your Province.* Mr. Shirleys Commission is made out, and Mr. Wentworth's now making out, and on Tuesday next the alteration in his Commission will be settled, so as to take in the new Bounds of your Province as determined by his Majty in Council, and then I shall go upon settling his Instructions being to have a

(1) Margin—"J. Thomlinson for the Proprietor."—Ed.

Copy delivered us for our perusal. And now, Sir, as he has been here at great expense, and *his Commission &c. will cost* more than £300 ster. and it may be he may have some difficulty with one or two of his smallest Crs. altho I have done every thing in my power for him, and will continue to do so, yet at this criticall time, (I think) upon which the welfare of himself & Family and indeed the welfare of the Province may in some measure depend, That you and all his Brothers should imediately resolve and conclude upon doeing every one something for him, that he may not now be delay'd or put under any difficultys, and that you should do it directly, and give him or me full and proper directions about it, by two or three of the very first conveyances after this comes to hand. As for my part, I will do as much as any of you shall. If I find that his Friends are willing to do their part whose duty it more especially is, and I am indeed surprised that I have not had the least conditional orders, either from yourself or Samuel or Mark Wentworth or any of his Friends, altho' you must know that if he did succeed (as he has now done) he must have occasion for a good deal of money, and after I have said all this, to you, sir, with a design you may communicate it directly & properly to his Friends, I would not have it understood that I would insinuate, that whatever you or they shall do for him on this extraordinary occasion, will be done without hopes of being repay'd, — no sir, *I have good hopes of having something more done for him that will put him into a capacity soon to discharge all obligations* of this sort, as well as all his other incumbrances, *and what it is, I hope soon to have the pleasure of communicating to you and his Friends,* now this point is over. But in the mean time you ought not to delay a moment doeing what I advise you, & what I cannot help thinking what is absolutely incumbent on his friends to do, and on which so much depends, and let me hope and believe you will do most readily & chearfully and thereby discharge your duty to a most worthy Friend and oblige

Sir, your most humble servant,

John Thomlinson.

Theodore Atkinson, Esq.

P. S. Doct. Pierce's Druggs will come in Fones. Pray my service to all my Friends & particularly Mr. Jaffrey & Mr. Wiggin to whom I have not time to write, and acquaint them with the General part of this Letter.

(Copy.)

John Thomlinson to Andrew Wiggin, Esq.

[p. 100.] London, 15th May 1741.

Andrew Wiggan, Esq.

Dear Sir,—

Give me now leave heartily to congratulate you on his Majesty's appointment of Mr. Shirley to the governmt of the Massachusetts Bay, and Mr. Wentworth to your government. Mr. Shirley's Commission is already made out and Mr. Wentworth's Commission had also been made out by this time only there is to be an alteration in his Commission, that is, to describe the Boundarys of your Province, as his Majesty in Council has lately determined, which alteration I settled yesterday with the Lords Commissioners for Trade & Plantations, and his Commission is going on as fast as possible through the several offices, and I hope will soon be with you, and that there will be an Emulation amongst all of you, who shall contribute most to the General Welfare of the Province, and that you will all of you, as much as lies in you, live in peace and charity with one another, forgiving those that have differ'd from you, and thereby reconciling all partys so as chearfully to pursue those things that are best for the Interest of his Majesty, the Interest of the Province & the particular Interest of every individual amongst you; such prudent

conduct will not only redound to the greatest advantage to yourselves, but gain you the Love and Esteem of all great and good men, and should it please God, that I should live to see you become (by such a conduct) the Flourishing & happy people I wish you to be, I shall think myself rewarded for all the Trouble I have been at on your Account. I am with the greatest truth and Esteem

Sir, your most obedient humbl Servt

John Thomlinson.

SHIRLEY PAPERS.

NOTE. The letters of Gov. Shirley are so numerous, and on so great a variety of subjects, that it is impossible to publish them all. The editor has made a selection of such only as seem most important in relation to the Louisbourg Expedition, in which Gov. Shirley has the honor of taking a leading part, and to whose agency a large measure of the success of the enterprise is due. Gov. Wentworth heartily co-operated in all measures which his judgment approved.

Letters from his Excellency William Shirley, Governor of Massachusetts, to Governor Benning Wentworth, of New Hampshire, relating chiefly to the Expedition against Louisbourg, 1744–45.

[Copied from "Belknap Papers," in N. H. Hist. Soc., pp. 186.]

[P. 194.] Boston, Nov. 10, 1744.

Sir—

This waits upon you by Capt. Ryal who was left in his Majtys service at Canso by Capt. Young to take care of the Trade between that place and Louisbourg, and was there taken wth the Garrison by Monsier Duvisier, and is now going home, where I hope he will be of considerable service to our part of the world, wth the Lords of Admiralty and other parts of the ministry, from his particular knowledge of Louisbourg, and of its harbour; and of the great consequences of the acquisition of Cape Breton and the keeping of Canso and Annapolis to his Majtys northern Colonies: Be pleased to give me leave to introduce him to you, as an honest, worthy young officer, and whatever countenance and civilities you shall show him for the two or three days he will stay at Piscataqua will be esteemed favours done to

Your Excys most obedient
humble servant
W. SHIRLEY.

His Excy Gov. Wentworth.

P. S. I'll send the warrts you write for in your last, very soon.

His Excy Govr Wentworth.

[P. 196.] Sir—

Divers soldiers belonging to General Philips Regiment, who were taken from Canso, & returned hither from Louisbourg in the French Flag of Truce have deserted from Castle William, where they were quartered till his Majesty's pleasure should be known about them: and the officers of the said soldiers have advertised their Desertion in the Print herewith enclosed, and offered a

Reward to such persons as shall apprehend & secure them; and it being probable that they may be got in to your Government & entered on board some Privateer or other vessel outward bound, I must pray your Excellency to give Orders to your officers to search for them, & if they or any of them may be found to apprehend & secure them. You will excuse me if I urge this matter with some earnestness, it being of great importance for the preservation of his Majesty's interest at Annapolis Royal that all these soldiers returned from Louisbourg should be kept from Desertion, & ready to execute his Majesty's orders, which I expect to receive early in the spring.

I am your Excellencys most obedient
humble servant
W. SHIRLEY.

Boston, Novembr 19, 1744.

His Excellency Benning Wentworth, Esqr.

[P. 198.] Boston, December 20, 1744.

Sir —

The General Assembly of this Province having in their consultations respecting the methods of carrying on the Warr so as may be most for the Protection of his Majestys subjects in these Parts and least expensive to both Provinces, among other things have judged that it will be for the common advantage of the Province of New Hampshire & this Province that we should act in conjunction in this important Business, and that we should agree together as well concerning the measures to be pursued in the action of War, as the Proportion of men which each Province should furnish, and of the charge to be respectively born by them; and therefore the two Houses have desired me to propose to your Excellency that Commissioners may meet together on this affair; and as I am fully sensible that such an agreement between us will very much tend to promote his Majesty's service & the Benefit of both Provinces, I desire you would take the matter into consideration, & let me know your Resolution upon it as soon as may conveniently be; and if your Assembly inclines to favour this Proposal that you will please to let me know what time & Place you judge will be most convenient for such commissions to meet, either your Excellency in person or such Commissioners as you shall appoint to manage this affair for your Governmt. I doubt not but you will give this affair a speedy Dispatch, his Majtys service requireing us to act with the utmost vigour for the safety of his subjects in these Provinces. I have inclos'd a copy of the Resolution of our Assembly upon this subject, which will give you further Light into it.

I am, your Excellency's most obedient
Humble servant
W. SHIRLEY.

[P. 202.] Boston Jany 31, 1744-5.

Sir —

To the inclosed Circular Letter drawn by the Secretary & sent to all the neighboring Governmts as far as Pensilvania, I have to add yt it may be urg'd with respect to your Province yt it seems to be more deeply interested in the Event of this Expedition yn any of the other colonies: For if Cape Breton is not reduced, there appears to be great danger yt the French will soon be masters of Nova Scotia — the consequences of which would be an addition of 4 or 5000 fighting men to the Enemy immediately from the Inhabitants of that Province; who in conjunction with the Indians of all Tribes, and assistance from Canada would irresistibly over run and destroy all our eastern settlemts as far as Portsmouth itself in your Province, and whether they would stop

there may be some Question; Whereas the reducing of Cape Breton would on the other hand be the Destruction of Canada. This, I observe wth respect to your Assembly; with regard to yourself I know no other motives need be urged yn our Duty to his Majty and zeal for the good of the common cause.

I am oblig'd for every thing else at present to referr you to the inclosed and Mr. Vaughan who will have the honor to deliver this to you, designing to write more at large by next post or the post following, and being in the mean time wth great respect and esteem, Sir

Your Excellency's most obedient
Humble servant

W. SHIRLEY.

His Excy Govr Wentworth.

[P. 203.] Boston, Feby 2, 1744-5.

Sir —

In answer to my repeated applications for that purpose, I received an Instruction from his Majty whereby I am permitted during the continuance of the present Warr to give my consent for the Emission of such sums in paper bills as the Emergencies of the Warr shall require: and I should think, if you consent to the Emission of a further sum in bills yn what your Instructions would otherwise permit, for the service of so extraordinary Emergency as the intended Expedition, provided such sum is appropriated to that use; yt you would not run any great risque of censure at home, but rather have your conduct approved of, if you can't promote the Expedition upon other terms.

As your Express only stays for my answer, I will detain him no longer ye till I wish you success wth your Assembly, wch I dare say would be very acceptable to his majty upon this occasion; and subscribe myself wth much sincerity and esteem

Sir, your Excys most
obedient Humble servant

W. SHIRLEY.

His Excy Govr Wentworth.

[P. 204.] Boston, Feby 3d Sunday, 1744-5.

Sir —

I am this moment favor'd wth your Excellency's second Express, and am extremely glad to see so good a spirit in the Gentlemen of your Assembly as is discovered in the Resolution of the Committee of both Houses wth wch you have acquainted me. As to your giving your consent to an Emission of bills of Credit for defraying the expenses of your share in the Expedition wch so nearly concerns his Majtys service and the interest of his Northern Colonies, as also of his British Dominions, upon the most mature consideration I am clearly of opinion yt you may safely do it (as I should not hesitate to do was I in your case) and yt it will be approved of by the ministry upon this extraordinary, unforeseen Emergency; As to myself I shall sign an Act tomorrow for the Emission of 50,000 new Tenour upon this occasion. You will doubtless take care yt whatever sum is emitted shall be appropriated to the service of the Expedition.

Half an hour ago I received a Letter from Rhode Island, by wch I have an assurance yt their Assembly will also exert themselves to the utmost at this crisis of the Fate of New England; and I hope all the neighboring Governmts will vie with each other who shall contribute most in proportion to their ability, to the common cause.

I will not detain your Express one moment unnecessarily; and am wishing you all imaginable success wth the Gentlemen of the Assembly for the service of their king and country — wth much truth and esteem.

Sir — Your Excellency's most
Obedient Humble servant
W. SHIRLEY.

His Exc^y^ Govr Wentworth.

[P. 205.] Boston, Feby 9, 1744-5.

Sir —

I was favour'd wth yours by Express between ten and eleven this noon, just before I was going out to Council, and in answer to it inclose you a copy of my new Instruction, wch I beg the favour of you not to let any person whatever peruse, as I neither have nor shall show it to any person but yourself; and y^t^ you would be pleased to transmit it to me back by the post when you have done with it, and not to let your Assembly or any other person know y^t^ I have sent you a copy of it. For as I have not thought fit to communicate my Instruction to my Assembly it would give great disgust if it sh^d^ be known y^t^ you have a copy of it; neither might it be proper in other respects. Our 50,000 Tax is lay'd on the years 1747 & 1748, the intermediate years being already burthen'd wth upwards of 27,000 lb. new Tenour, on each year.

The periods fix'd by your assembly for drawing in the proposed Emission of 10,000 lb. are, I must confess so extravagantly unreasonable as well as distant, y^t^ it looks almost like a refusal in 'em as you observe, to join in promoting the Expedition; and tho' I have the number of men to be imploy'd in it exceedingly at heart, I must acknowledge y^t^ the terms of the grant would make me hesitate giving my consent to it (was I in your case) tho' I am apt to think was you to recommend it to 'em to shorten the period and abridge the sum, and they were to refuse doing it, y^t^ if you should pass it more blame would lye at their door than yours. But it is so delicate an affair, I dare not persuade you to give your consent to it; and must leave you to better judgm^ts^ y^n^ my own to advise you upon it.

You do much honour in reposing so much confidence in my opinion & friendship; the latter you shall never be deceived in, Sir, 'tho I can't promise so much for the former.

Should this Grant of your Assembly fall through I would propose to you to give beating orders to such Captains, Lieuten^ts^ & Ensigns as you shall approve of, to raise men in your Province, to go in the pay of this Province (wch would be of service as their would be room for 'em amongst our 3000 Troops, and which would receive perhaps the complement of that number, wch might otherwise fail;) and I will give such officers Commission to entitle them and their companies to the pay & Bounty of this Province. The companies must consist of 50 private men each; and the men are entitled to 4^lb^ old Tenour pr man besides what is mentioned in the Proclamation (by way of Bounty) and are to be allow'd Billitting money from the time they Enlist, and pay from the time of their being mustered, or, I think from the time of their Enlistment; and each Captain is allowed 25^lb^ old Tenour over and above his pay for Expences in Enlisting the men; and if in this case it would be of service y^t^ you should have a Major and Lieuten^t^ Colonel out of your Province, Be pleas'd to settle this matter wth Brigadier Genl Pepperell and I will confirm it.

I mention this only in case you should be disappointed in raising any men in the pay of your own Province, wch I know would be most eligible to you, and if your people do not do it upon reasonable Terms will be of infinite prejudice to 'em wth his Maj^ty^ on whose favour they depend for their being, they may assure themselves. In such case also I must desire you to supply the men wth the arms you had of Capt. Prescott's company's (in case the men

have none of their own) and if they should not return 'em to you, the value of 'em will be stopt out of their wages for you pursuant to an order of our Genl Court for that purpose with respect to ourselves.

I am in much hurry as you will perceive — in great truth,

Your Exc^ys obedient Humble servant

W. SHIRLEY.

I shall be concern'd if the affair should drop thro' with you. It would certainly [be] extremely acceptable to his Maj^ty could you succeed to raise any men in your Province's pay.

His Exc^y Govr Wentworth.

[P. 206.] Boston, Feby 14, 1744-5.

Sir —

Least the prospect of your Assembly's coming into a proper supply for raising men &c. for the present Expedition should vanish, in wch case I took the liberty to propose to you to raise men within your province to go under my Commisssioners and in the pay of this Governm^t, wch would be of service to his Maj^ty, and very considerably so, if your Assembly will not furnish their own Quota, tho' I will yet hope that will not be the case, I have inclos'd six blank Beating orders sign'd by me, wch be pleas'd to fill up & alter as to the form of 'em as you please, and deliver to such persons, as you shall approve of for Captains: And by next post I will remit you what money you shall be pleas'd to order for paying the men 4 ^lb pr man Old Tenour Bounty money, wch is to be given to 'em over & above what is mention'd in the Proclamation, at the time of their Inlistment.

It would have been an infinite satisfaction to me, and done great honour to the Expedition, if your Limbs would have permitted you to have taken upon you the chief command. There seems to me to be great Danger of Intelligenc's escapeing to the enemy from your posts if you don't guard ag^st it by an Embargo, and confining Frenchmen or other disaffected persons.

I shall hope to have the favour of hearing from you by the next post and am wth respect and esteem

Y^r Excellencys most obedient

Humble servant,

W. SHIRLEY.

The bill pass'd by your Assembly is certainly extravagantly unreasonable for 'em to propose to you for your consent.

Govr Wentworth.

[P. 207.] Boston, Feby 16, 1744-5.

Sir —

Yesterday the moment before I was setting out for the Castle with a number of gentlemen upon some Business your Express deliver'd me your fav^r by wch I am glad to find y^t you have brought your Assembly to so much better terms than their first bill contain'd: I pray God send us a good Event of the Expedition, and I doubt not of his Maj^ys approbation of the measures taken by us for raising the men, nor even in case it should fail of success, if this attempt for his service should appear to him prudent & laudable, as I hope it will. If you can raise 150 men in your province to be aggregated to your Quota of 250, and form'd into a regiment with 'em, the 150 shall be taken into the pay of this governm^t, and if you please to enlist that number of men upon those terms, I desire you would proceed as fast as you can.

I design to have 150 men as near as may be to the size of Grenadiers drafted out of the forces rais'd in this Province and taught to throw hand

grenades, wth will be of singular service. I mention this, because if you should think fit to draft 30 or 40 of your men for that service, no time is to be lost in it. I hope to get 2000 at least imbark'd the beginning of March, so as to be landed at Chapeau rouse bay by the 10th of the month at farthest.

I will take the first opportunity of communicating the offer you have been pleas'd to make of your personal service in the Expedition to my Council & officers. I think you put it upon the only safe and proper terms, should it turn out y^t^ you proceed upon this service, I do assure you it will be a great satisfaction to me.

I am wth much respect and esteem, Sir,

Your most obedient
Humble servant

W. SHIRLEY.

His Ex^cy^ Govr Wentworth.

[P. 208.] Boston, Feby 16, 1744-5.

Sir —

I have order'd the Bearer to wait upon your Excellency with the Letter directed to Captain David Donahue for your perusal, and to beg the Favour of you, if his vessell is within your Government, to stop it pursuant to the purport of the Letter, which will inform you of the Reasons of this Request; your giving yourself this Trouble will much oblige this Government, and

Your Excellencys
Most Humble servant

W. SHIRLEY.

His Excellency Govr Wentworth.

P. S. Upon communicating y^r^ offer of your taking the Command of the Expedition and proceeding in it, to two or three Gentlemen in whose prudence & judgm^t^ I most confide, I found 'em clearly of opinion y^t^ any alteration of the present command would be attended with great risque, both with respect to our assembly, and soldiers being intirely disgusted.

[P. 210. (1)] Boston Feby 26, 1744-5.

Sir—

I am obliged to you for your kind condolence wth me upon my daughter's Death, and for your several favours since my last. I am extremely glad to hear of your good prospect of completing your Regiment in time: All things will be ready here for the Imbarcation of our fleet by the end of the week as the committee informs me, so I should be glad of your being ready with yours as soon as may be; whatever you want for the 150 men to go wth my commissions & in the pay of this government, be pleased to send to me for it by Express and you shall have it instantly.

I think the essential thing is the number of the men in the whole; and y^t^ it is not absolutely necessary y^t^ there should be exactly 50 men in each company, if there are 40 in one and 60 in another, all the things may be set right by proportioning the service in the field: and indeed if a company does not consist of less y^n^ 40 men I think we ought not to be critical. If any of 'em should not rise up to that complement, in such case indeed it will be necessary to join two companies together. I take the liberty of mentioning my sentiments to you in this affair, as it is possible you may like to know how I should act in the same difficulties, which may possibly occur in the raising of your levies, and y^t^ we act in the same manner together.

(1) Page 209. Letter from Gov. Shirley, dated Boston, "Feb. 25, 1744-5," is found in this volume.—ED.

In answer to your Postscript, I think you ought to give the mast-ships and store-ships, (I mean those wch carry stores for his Maj^ty) passes, whenever the Convoy is ready for 'em.

I am in the utmost hurry
Your Excellency's most
faithful Humble servant,
W. SHIRLEY.

His Exc^y Govr Wentworth.

[P. 211.] Boston, Feb. 27, 1744-5.

Sir—

As I think very much will depend upon our being able to send a Body of 2000 men some time next week at furthest upon the service of the Expedition, I would recommend it to your Excelency to transport your Regiment without the least delay, as soon as possible may be to Boston, to proceed wth our fleet: Whatever is wanting for the 150 men to be put into our pay and go with my Commissions and aggregated to your Regiment, Be pleas'd to let me know what is wanting to compleat their Enlistment by the Bearer, and I will instantly send whatever money you write for.

I am wth truth and in the utmost haste

Your Excellency's most
Obedient Humble serv^t,
W. SHIRLEY.

It will be proper to take up a vessell to send hither with prov^s.

His Exc^y Govr Wentworth.

[P. 212.] Boston, March 1, 1744-5.

Sir—

Upon the receipt of your favour by the second Express I wrote to Capt. Graves, who lay in Nantasket Road for a wind to come round to your Harbour, and inclosed to him such paragraphs of your letter as it was proper for him to see, and desir'd him not to proceed from hence for a few days, wch I am in hopes he will comply with, tho' I can have no answer from him till to-morrow. If he should have proceeded before my letter came to his hand, tho' he is not full mann'd, I believe he will be very cautious of impressing, and will apply to you with a letter of mine on that subject (wch I wrote without considering the Inconveniences that will attend your impressing a single man) and you may, I doubt not, depend on his being advised and govern'd by you; and you need not scruple to assure all the country and Transports y^t you will absolutely protect 'em ag^st being impress'd on board his or any other of his Maj^tys ships, wch it is certainly in your power to do upon this occasion, and will with all readiness be most punctually observ'd by the commanders — and it seems to be requisite y^t you should give some public notice of this sort, if either of the men of Warr should come into your Provinces before your troops are imbarked, wch I hope will be able to proceed with the whole fleet from hence some time next week.

I keep your other Express till I can get the money to send by him, wch I hope to do this forenoon if I can get out.

Be pleas'd to tell Mr. Vaughan y^t I have a prospect of filling up our broken Companies here without any more men from your Province besides the 150 which are to be aggregated to your Regiment; and would therefore have him stop enlisting at present.

I think you have several blank beating orders already sign'd from me. I have here inclos'd what you write for further as also printed of the oaths and attestations of the men's Enlistment, wch if you are not got into any other method may be of service to you in Dispatching.

I am wth much & respect
yr Excelencys most
Obedient humble servant
W. SHIRLEY.

His Excy. Govr Wentworth.

I perceive it is blank Commissions wch you write for, upon a second perusal of yr Letter; and you shall have 'em.

[P. 214.] Boston, March 2d 1744-5.

Sir —

Last night I had the favour of your answer to my last Express, and am sorry to find it will be inconvenient for your Troops to come round to Boston in order to join & proceed wth ours. The success of our scheme for surprising Louisburgh will intirely depend upon the Execution of the first night after the arrival of our forces there; and for this purpose it is necessary that the whole fleet should make Chappeau Rouse point just at the shutting in of the day, when they can't be easily discover'd, and from thence push into the Bay so as to have all the men landed before twelve at night, (the landing of whom by Capt. Durelle and Mr. Bastide will take up three hours at least) after which the forming of the four several corps to be employed in attempting to scale the walls of Louisburg near the East Gate fronting the sea, the West gate fronting the Harbour, to cover the retreat of the two beforementioned parties in case of a repulse, and to attack the Grand Battery, (wh attack must be made at the same time wth the two other attacks) will take up two hours more at least, and after these four Bodies are form'd their march to their respective ports from whence they are to make their attacks and *serve?* to cover the retreat, will take up another two hours, wh supposing the Transports to arrive in Chappeau Rouse Bay at 9 o'clock in the evening and not before, as it is not necessary for 'em to do in order to land and march under cover of the night, will bring 'em to four in the morning, being day-break, before they begin their attack, wch will be full late in the morning for 'em to begin: Your Excellency will hence perceive, how critical an affair the time of the fleets arriving in Chappeau rouse Bay is, and how necessary it is to the success of our principal scheme, yt the fleet should arrive there in a body, at that precise hour and how dangerous it will be for us to trust to the chance of meeting at the Isles of Shoals: Besides this, it will be necessary that our Transports should be divided into four Divisions, each wearing distinct colours, and yt the several parties of Troops, wth their officers appointed to these several services, should embark in these distinct divisions and land together in separate Bodies out of 'em, in order to go instantly upon the Execution of their respective duties and attacks; for otherwise there will be the utmost confusion, and the forming of 'em after their landing will consume so much time, yt the Execution of the main scheme will be impracticable the first night, after wch time it will be in vain to attempt it: And I do not see how the Transport vessells can be form'd properly into these Divisions unless they rendezvous at Nantasket, or the officers of your Regiment be appris'd thoroughly of the Duty they are to go instantly upon immediately after their landing, without being here upon the Spot: For as to their rendezvous at Canso, besides so large a fleet being in danger of being discover'd even from St. Peter's hill, there will be great danger of some fishing vessell or others' carrying an alarm to the enemy before our arrival. However if there should be an unsurmountable difficulty in the Troops rais'd in your Province getting round

here, as I propose, we must endeavour to join as we pass by your harbour or at the Isles of Shoals as you propose upon my letting you have a day's notice before we sail; and as I will send you a copy of my orders to the General, wch will contain a plan of what the Troops are to execute instantly after their landing & of the several parts wch the four several corps are to execute, I will then mention the part proposed to be allotted to your Regiment for — *them!* . . . . of which they may receive their orders from you accordingly, and be thoroughly instructed in the part they are to act in the first operations subject however to the General's orders, as Emergencies unforeseen may arise.

The Transports hired here are by a vote of the General Court pass'd this morning Insur'd by the Governmt, and you may depend yt the Transports taken up by you for carrying the men in the pay of the Governmt rais'd in your Province shall be insur'd in the same manner at their appraiz'd value, wch I suppose will be indisputable security: The subsistence & stores I will take care of. Let the 150 men to be aggregated to your Regiment of 350, be raised by you in what companies they will provided the officers do not exceed the number of officers usual to three Company's I will accept 'em and provide for 'em with the pay yt of this Governmt; and whatever men Mr. Vaughan shall raise over and above the 150 by virtue of your orders (provided they do not exceed 150 more) I will accept, notwithstanding my countermanding my orders for his raising more men mentioned in my last to you, wch I did partly upon what you mention'd in yours of the 27th Feby to me. It will be necessary for me to know what muskets, Bayonets, Cutlasses, Belts &c will be wanting for such of the men rais'd within your Governmt to be in our pay, as have none of their own, yt I may provide 'em. We take care yt all our people have slings to their muskets, wch (as they can't be better provided) must be done by line or rope, and take particular care to provide Tents for all our Soldiers without wch it will be impossible for the men to subsist, & wch will be done in a great measure by old sails and poles, tho' we have upwards of 100 new ones regularly made, besides Tents for the army. Be pleas'd to let Mr. Vaughan know he may go on as far as I have mention'd above; and favour me wth your Letters by all opportunities.

I am wth great Truth
your Excelleneys most
obedient, Humble servant

W. Shirley.

His Excy Govr Wentworth.

[p. 216.] Boston, March 4, 1744-5.

Sir —

As it will be uncertain where Mr. Vaughan will be upon the arrival of this I am oblig'd to trouble you wth 100 lb. new Tenour (by the bearer) to pay to those men, wch he shall have enlisted over & above the 150 to be aggregated to your Regiment, and to desire him to see yt the men are march'd to Boston instantly to fill up the incomplete Companies belonging to Col. Hale's Regiment wch will be there by the time those men git to Boston, or if he marches 'em to Charleston it will do: I must refer you for every thing else at present to Mr. Bastide, who will dine with you on Wednesday. I am sorry I am oblig'd to trouble you wth the Letter wch accompanies this, at this improper time. But I could not avoid, from the Importunity of the Council, and expectation of the Assembly, doing it longer. I will write you further upon it by next post and must now subscribe myself in much haste and Truth

Your Excys most obedient Humble servant

W. Shirley.

His Excy Govr. Wentworth.

[P. 216.] Boston, March 6th 1744–5.

Sir —

I have your favours by Brigadier Pepperell and Col. Waldo and have sent the Enlisting money for three Captains; and a Letter from the Committee to Mr. Sparhawk desireing him to supply the 150 men in the pay of this Governmt wth 150 cutlasses and 40 Firelocks, according to your Letter; Bayonets we have none to spare; Belts you shall have; provisions we can't possibly send instantly but hope to send in a day or two; and shall take care at all events to provide for 'em, as also stores. Be pleas'd to show this to Mr. Sparhawk at Mr. Pepperell's desire. I have this momt receiv'd a message from Connecticutt importing yt they have voted to raise a thousand men; wch makes me abrupt in subscribing myself wth the greatest esteem

Sir, yr Excellencys most humble
and most obedient servt

W. SHIRLEY.

I am obliged to leave off to settle the Connecticut affair.

His Excy Govr Wentworth.

[P. 217.] Boston, March 10 1744–5.

Sir —

Yesterday evening I had your favour by Mr. Bastide, who I fear has the gout in both his hands. I don't wonder at your earnest desire to get rid of the Troops design'd agst Cape Breton. But if they could proceed to Canso before ours I fear it will be attended wth giving the Enemy an alarm. For it is very probable yt some shallop or other may at the sight of so many Transports immediately give 'em intelligence, to prevent wch I design to send Donahoe's Privateer Sloop and another wth our Company of soldiers on board, two days before the fleet sails from hence to cutt off any little Fishing Sloops or Shallops wch may be near Canso, or otherwise clear the coast of 'em before the body of our Fleet appears, for fear of any Intelligenc's being convey'd by any of 'em to the Enemy upon the sight of our Transports, &c. Wherefore I would propose to your Excellency not to let your Transports sail before ours proceed & the coast is clear'd, of wch I hope to apprize you by Tuesday by letting you know the exact time of Donahoe's going away, and our Fleet's following, the latter of wch I hope may be abt the middle of this week.

I have given repeated orders upon the rect of your last favour to our Committee to send the provisions stores & Blankets as mentioned in yours. You say nothing concerning your receiving the cutlasses & Firelocks from Sparhawk. I should be also glad to know by the return of the Express whether you have provided vessells for our 150 men or not, yt I may proceed accordingly. It would be best for you to hire 'em there, and we to pay the Terms you agree for.

I am wth much truth & respect, tho' in great haste,

Your Excellency's most obedient
Humble servant,

W. SHIRLEY.

His Excys Govr Wentworth.

[P. 219.]

Boston, March 27, 1744-5.

Sir —

This waits upon you in answer to your favours wch I receiv'd since my last Express to you to inform you yt yesterday morning I dispatched the Massachusetts Frigate, Molin (1) Frigate & Snow *Cæsar*? (1) to join the ship Fame, the Snow (1) Prince of Orange and Boston Packet before Louisburg Harbour so yt we have now three stout Twenty gun ships, two good snows and a Brigantine proceeded for that place, wch I hope will be sufficient to Interrupt the Enemy's provision vessels, and even their recruits, if Monsieur Duvister should arrive there this month: Capt. Gayton will also, I hope, be ready to sail by the latter end of the week in the same service, and when Capt. Rouse has landed the General at Chappeau Rouse bay and convoy'd the Fleet there, he will join the other Naval force.

Many Impediments and perplexities have hindered my dispatching the Forces from hence before Wensday morning next by wch time I hope in God yt nothing will hinder their sailing; and I believe that will be the best time for your Transports to sail for Canso, when, if we should not join you before, it is probable yt our Fleet will arrive abt the same time wth yours.

I should have mentioned yt this morning Donahoe sail'd with another sloop under his convoy having on board a company of 50 men to reconnoitre the Coast, &c. and to clear it agst the arrival of the Fleet, and if it should happen yt your Transports should get the start of ours, I am advis'd yt it would be safest for 'em to stop at Whitehead Harbour abt 5 or 6 Leagues short of Canso, till the arrival of ours yt there may be as little danger as is possible of occasioning intelligence being convey'd to the Enemy by any little vessell to the Eastward of Canso, wch may discover 'em; and if you approve of it I shall be glad if you order it accordingly. I am inform'd yt Mr. Sparhawk has got some very good cutlasses and some firelocks wch it is doubted are not extraordinary: If you will be pleas'd to take the trouble of appointing some skillfull person to view both of 'em, and in case they or either of 'em are approv'd of, desire him to put such as are approv'd on board one of your Transports for the use of our Troops as spare arms, I shall be oblig'd to you, and our Committee will pay him for 'em. But if they are not good I would not have 'em. We forgot to put up among the Stores for our 150 men in your Regiment Gunpowder and Ball: If you will be pleas'd to supply 'em with three half barrels of powder and a like proportion of Ball for their passage, I shall be oblig'd to you, and will repay you by the first opportunity; The Blankets and money not used be pleas'd to return by a convenient opportunity. I must beg the favour of you to indulge Mr. Bollan in his Inclos'd request, if no inconvenience will attend it. I have so much fatigue yt I wth great difficulty hold out, but not without having impair'd my health.

God send us both a good riddance of our Trouble and an happy Event to the Expedition.

I am sincerely,
Your Excys faithfull, humble servant

W. Shirley.

To his Excy Gov. Wentworth.

If John Batson a ship carpenter is not engag'd in the Expedition on board any of your Transports, I beg the favour of you to secure him to attend the General in the field, and to assure him yt he shall be provided for to his satisfaction by me, and yt I will give directions to the General abt it. There is a Jersey man who Mr. Vaughan thinks would be of great service to proceed, but is unwilling. Could you not impress him for a Pilot? Mr. Vaughan will talk to you farther abt him.

(1) These names are very obscurely written, almost illegible.—Ed.

[P. 224.] Boston, May 13th 1845.

Sir —

I had your favour this afternoon by young Mr. Jaffrey, who produced his fathers account, which I desir'd him to deliver to the Treasurer, to whom his Father's receipts I think were given. As to the agreement your Excellency mentions to be made between you and me, that the Companies to be rais'd in your Government should consist of 40 men each, and that three companys of 50 men each should at all Events be rais'd by you to be in the pay of this Government & added to your companies, I am apt to think may be a mistake; & would therefore beg the favour of you to let the paragraphs of my several letters upon which you found that agreement, be transcribed & send them to me by the next post (for I have not kept copies of them not imagining that we could mistake each other) and I will in the mean time look out the paragraphs of your Letters that relate to this affair and send them to you by the return of the Post, which I doubt not will clear up the matter between us.

It is certain that I always intended and understood the agreement to be that you should if you pleas'd raise as many men to be in the pay of this Province as would make up your 350 a Regiment of 500 men, ever supposing that 350 of the men to be rais'd by you should be in your pay, according to the vote of your assembly, and not that you should raise only 320 men, and this Province pay the 30 men which that number falls short of the Quota of your Government voted to be raised by your Assembly; but that all the men raised by you within your Province over and above that Quota not exceeding the number of 150, should be in the pay of this Government; and this I consented to at your own request in order to augment your own 350 men, not to ease your Province of any part of that number, which would have been an injurious agreement on my part both to his Majesty's service, and this Province, and indeed unpardonable in me with respect to the latter, and unreasonable to be expected or desired of me on the part of your Government. I can't pretend to recollect every expression which may have dropped from my pen on this affair between us; But I am satisfyed the agreement you mention is so foreign to my intention that upon perusing my letters again and comparing 'em with your own you will find the real agreement to be, that all the men not exceeding 150 to be raised by you over and above the Quota of 350 Voted by your Assembly, should be paid and subsisted by this Government. The reason of my mentioning to you the vote of the Assembly of this Province for reducing our Companies from 50 men in each to 40, was to remove the difficulty of their first vote which I was afraid might ly in your way as it did in mine here, by which no Captain that had not raised 50 men was entituled to have his Company received into pay; whereas by the second vote fourty men was to be received as a Company, which I found an ease to me in raiseing my own Levies, but whatever I have said in that respect was not designed in the least as a proposal or agreement that your Companys should be only eight in number and consist of no more than 40 men Each, and that at all events this Province was to pay & subsist 150 men of New Hampshire Regiment. But upon the whole I ever understood that this Government was to pay and subsist as many men not exceeding 150 as you should raise within your Province over and above your own Governments Quota of 350 & no more.

I am with great respect
Sir — your Excellencys most obedient
humble servant

W. Shirley.

His Excy Govr Wentworth.

P. S. Upon second thoughts — If the 350 men voted by your assembly were for the sea service as well as the Land, and 30 of 'em were appropriated to the sea, I mean the Transports, then eight Companies of 40 men each will make your Quota of Land forces, according to your Intention, tho' I did not

understand it so at first. But I am willing that should be so. But then 320 of the men rais'd by you must in all justice & reason be in your pay, as that is your Quota voted by y^r Assembly (1).

List of New Hampshire men in Col. Samuel Moore's Regiment, Engaged in the Louisbourg Expedition.

[Copied from "Hist. and Geneal. Reg.," July, 1871, pp. 267-269. Compare with "Potter's Mill. Hist., Adj. Gen. Rep.," Vol. II, 1866, pp. 63-67. As the date of the paper containing this list is late in the autumn, it is highly probable that many of the men had gone home, which may account for any difference with Col. Potter's list.—Ed.]

Louisburg, Nov. 20, 1745.

Sergeants.	*Age.*	*Birth Place.*	*Sergeants.*	*Age.*	*Birth Place.*
Richard Cobb	28	Taunton	Edward Day	29	Rehoboth
Baly Bishop	30	Attleboro'	Thomas Fillebrown	29	Cambridge
Benj. Esty	43	Ipswich	Abijah Fisher	24	Norton
Nehemiah Fisher	41	Taunton	John Fisher	21	"
			Eleazar Fisher	17	"
Corporals.			John Forrest	22	"
Eliphelet Hodges	27	Taunton	Samuel Forrest	19	"
Joseph Tiffany	55	Portsmouth	Ephraim French	20	Braintree
Richard Glen	25	Freetown	Jacob French	17	Norton
Robert Tiffany	28	Attleboro'	Thomas Grover	20	"
			Benj. Hodges	18	Taunton
Clerk.			Heber Hounestman	43	Dorchester
Elkanon Lyon	30	Dorchester	Zepheniah Lane	19	Norton
			Aaron Napp	50	Freetown
Drummer.			John Rogers	20	Taunton
Thomas Braman	28	Norton	Ephraim Sheldon	17	Marblehead
			Philip Thayer	48	Braintree
Philip Atherton	23	"	Ebenezer Turner	28	Dedham
Edward Blancher	22	Ireland	Ephraim Thayer	18	Norton
Jeremiah Cambell	29	Norton	Abraham White	26	Taunton
Henry Crossman	35	Taunton	Daniel White	20	"
John Caperon	18	Barrington	John Weeks	17	Attleboro'
Micajah Dorman	22	Norton	Benj. Wood	19	Middleboro'

(1) Copy of the Muster Roll of the Companies in Colonel More's Regiment sent by Lieutent General Pepperill from Canso. [*See Belk. Papers, p.* 225.]

Colonel.	*Lieut. Colonel.*	*Major.*	*Captains.*	*No. of men.*
Saml. More.	Natl. Meserve.	Ezekl. Gilman. .	Saml. Whitton Increasing Lieuts and Ensigns	45
			T. W. Waldron	41
			True Dudley	53
			Tufton Mason	42
			William Seward	45
			Daniel Ladd	38
			Henry Shuburne	22
			John Furnell	39
			Samuel Hale	44
			Jacob Tilton	37
			Edward Williams	36
				442
			Deduct 11 Lieutents & Ensigns	022
				420
			New Hampshire Quota	350
			Massachusetts Quota to be aggregated to New Hampshire Regiments	70

Col. Moore's Company.

Lieut. John Flagg
Serj. Nathaniel R. White
Corp. John Blake
Abner Sanborn
James Marston
William Marston
Jabez Fowle
William Hughes
David Moulton
Benjamin Dalton
John Perry
John Dunton
William Villum
John Atkinson
Dr. James Pierce
Dr. James Wood
William C. Treadwell
Adam Block
John Barker
William Rand
John Wilson
John Frinkett
John Hodgdon
Thomas Hailey
Noah Broddon
William Studley
William Spriggs
John Flagg, Jr.
Richard Hull
Richard Forham
John Turner
John Hall
Israel Hodgsden
Davis Gooding
Jonathan Huntress
Abner Hunt
Samuel Tobey
Isaac Brown
John Green
John Loggin
Alexander Thompson
George Perkins
Jeremy Leary
David Goodner
Thomas Jones
Joseph Keniston
Parham Peirce

Capt. Fellows's Company.

Lieut. Nathaniel Fellows
Ensign Thos. Newmarch
" Ezekiel Pitman, Jr.
Richard Bunster
Richard Fitzgerald
Jonathan Cooper
Solomon Read
Edward Sherburn
Timothy Bell
Abraham Ellist
John Stevens
Joseph Downing
Abraham Senter
Thomas Dunn
John Hooper
James Waring
John Woodham
Roger Memahone
Isaac Wherrin
Pitman Goldbath
John Fry
Moses Ward
Isaac Roberts
Jonathan Dam
Richard Furber
John Welch
Richard Knight
Jonathan Boothby
Thomas Claridge
William Randall
John Pinkham
Jethro Rickford
Thomas Johnson
Stephen Rawlings
Christopher Huntress
Jotham Ham
Joseph Goldbath
Andrew Morgan
Samuel Thompson
Archibald Wallis
Samuel Rawlings
Benjamin Goldbath

Capt. John Light's Company.

Lieut. Joshua Winslow
Ensign Jeremiah Veasey
Joseph Philbrick
Caleb Brown
Jonas Ward
Joseph Acors
Thomas Lary
Joseph Atkinson
Moses Flanders
Joseph Judkins
John Edgerly
Clement Moody
James Marsh
Amos Dollof
Jack Covey
Joseph Dudley
Joseph Giles
Moses Ferrin
Samuel Sanburn
Samuel Sinkler
William Marcy
Benjamin Robinson
Daniel Kelley
Thomas Watson
John Severance
Eliphlet Quimby
John Wells
John Brown
James Cloyd
Ebenezer Sinkler
Abraham Stockbridge
James Gilman
David Dollof
Joseph Folsom
Josiah Sanburn
Jonas Addison
Robert Gordon
William Prescott
John Gibson
John Forrest
Nathaniel Lamson
William Fifield
Moses Savage
Joseph Dudley
Joseph Gardner
George Creighton

Capt. Joseph Shuburn's Company.

Lieut. Henry Montgomery
Ensign Ebenezer Wright
Serj. John Colton
" William Thompson
John Boardman
Growth Palmer
Abner Cass
Joseph Young
Daniel Welch
John Miller
Satchel Bundlet
Robert Kennedy
John Carter
John Macloughland
Jame Maclenelan
James Thompson
Adam Gault
Andrew Logan

Warren Stockbridge	Samuel Miller	James McNeil
Jonathan Ambrose	John McNeil	Patrick Gault
Samuel Sims	John Adams	Robert Cunningham
Valentine Aylmer		

Capt. Jonathan Prescott's Company.

Ensign Ezekiel Worthen	John Fellows	Joseph Weed
Simon Moulton	William Clifford	John Falet
David Page	James Lovell	Jonathan Kimball
Benjamin Tilton	Robert Row	Enoch Chase
William Swain	Charles Dow	Thomas Chalis
Joseph Prescott	John Hutchens	Paul Pressey
John Chapman	Daniel Ward	Thomas Gimpson
Thomas Locke	Samuel Blake	Joseph George
Nathan Dow	Joseph Weare	Caleb Norton
Daniel Row	Thomas Moulton	Samuel Eastman
Ephraim Stevens	Jonathan Choate	Robert Sweet
Ebenezer Gove	Moses Davis	William Davis
Nathan Row		

Capt. Samuel Hale's Company.

Benjamin Libbey	John Smith	John Folsom
Samuel Heard	Josiah Clark	William Dugrin
Joseph Giles	Thomas Roberts	James Gorman
Reuben Gray	Nathaniel Perkins	Edward Bean
Jacob Hassom	Joseph Berry	Marston Sanborn
Daniel Libbey	Richard Kenney	Edward Fox
Richard Harris	David Kincord	James Critchet
Stephen Evans	Benjamin Stanton	Samuel Richardson
John Ferre	William Keniston	Benjamin Bunker
Nicholas Grace	Stephen Clark	

Capt. Edward Williams's Company.

Ensign Edmund Brown	Nason Cass	Ebenezer Samborn
Serj. Robert Calf	John Marston	Timothy Blake
Nathaniel Weare	James Taylor	Daniel Cram
Jonathan Bond	Benjamin Shaw	John Ellet
Peter Ingalls	Thomas French	John Samborn
Enoch Rowel	David Lowell	

Benjamin Bunker and George Creighton who were gone home on a furlough have returned.

I have no means of knowing where these men belonged; but I find the summary below with the statement of their support, viz.:—

Col. Moore's Co.	48	men.	Sick 3
Capt. Fellow's Co.	43	"	" 3
Capt. Light's Co.	47	"	" 5
Capt. Sherburn's Co.	29	"	" 1
Capt. Prescott's Co.	40	"	" 4
Capt. Hale's Co.	33	"	" 1
Capt. William's Co.	18	"	" 1
	258		Sick 18
In pay of Massachusetts	50		
In pay of New Hampshire	208		
Total,	258		

[P. 226.] Boston May 18, 1745.

Sir —

I have now the Pleasure to congratulate your Excellency upon the favour of Divine Providence towards us in our undertaking for the reduction of Cape Breton, in the advantages we have already obtained against the Enemy, and the Prospects we have of further Success; And you will have a greater share of satisfaction herein as your Government has taken upon themselves some part of the charge and Burthen of this Expedition. But both the General and Commodore Warren press earnestly for a Reinforcement of Troops, for which my principal Dependence is on the Governments of New Hampshire and Connecticut; I do therefore desire that you would supply what force you possibly can, and that without the least Delay: and that herein you would consider the vast expense this Province has been already at; for besides that our Quota of Troops does considerably exceed yours in proportion to our numbers and Estate, if you will add our large Naval Force, our Train of Artillery, the Powder & other stores of War, and Implements for the same, and many other charges for the advantage of the Forces in General, which the Province will bear alone, I question whether the charge of your Province will amount to much more than one third Part of ours in the Proportion I before mentioned: And therefore I hope your Government will furnish two hundred Troops more for this service at least: I have inclosed you a copy of my last letter from General Pepperell by which you will find that we are at the very crisis of this affair, and that the least Loss of time may prove fatal; and if you will let me know when your Recruits will be ready, I will take care that you shall be furnished with a sufficient convoy for them.

I am, sir,
Your Excellencys most obedient,
humble servant

W. SHIRLEY.

His Excellency Benning Wentworth, Esq.

[P. 227.] Boston, May 20, 1745.

Sir —

On Saturday I had your Excy^s favour in answer to my last, and upon casting my eye over it, it seems to me y^t we rightly understand each other upon the subject of it, to wch I will give you a particular answer by next week's post. In the mean time I beg leave to assure you y^t it will always be a pleasure to me to ease you in any part of the trouble of your Governm^t, But nothing shall induce me ever to add to it.

This morning I was oblig'd to you for the favour of your Express, upon the contents of wch I again congratulate you, and upon the prospect of our forces being in so fair a way to reduce Louisburg, wch may, I hope, be a full recompense to us both for the trouble, we have each of us had in the levies and preparations for doing it. You will have herewith a Letter drafted by the Secretary, and advised by the Council, upon the subject matter of which I hope your new Assembly will be properly dispos'd. I shall make a strong application to mine upon it and think myself happy in my success. I shall reprimand and take notice of the master you mention in your last for his inexcusable neglect, and am with great truth,

Sir, your Excy^s most obed^t
Humble serv^t,

W. SHIRLEY.

His Excy Govr Wentworth.

[P. 228.] Boston, June 1st 1745.

Sir —

I have now the pleasure to congratulate you upon Commodore Warren's having taken a French 64 Gunn ship, and a prospect of his having some more of their men of warr having fallen into his hands; and our troops having advanced their Battery agst the West Gate of the Town within 200 yards of it, and making a considerable Breach in that part of the Enemy's works. Your Excellency will perceive of what Importance it is yt that ship wch Mr. Warren designs to put into Commission and employ in the service of the Expedition, should be mann'd and what Encouragement this Province has given towards it, and what Mr. Warren promises; I should think there is a vast encouragement for men to go into the sea service upon these Encouragements, as they have now so fine a prospect of prizes, and a certainty of their being releas'd at the End of the Expedition: Also as there is such a prospect of taking Louisburg, yt the Encouragement contain'd in my proclamation would induce men to go into the Land service from any parts of New England.

I need not say a word to excite your Excys zeal to assist in manning the vigilant man of Warr upon the Bounty given by this Governmt, wch shall be punctually paid to any fishermen, mariners or others that you can procure for the sea service above mention'd within your Governmt, wch I would beg the favour of you to do and either to pay 'em there (if it may be done with safety) and to get a good hand to see 'em safe to Boston, or to let 'em know yt instantly upon their arrival at Boston, they shall have their Bounty paid 'em. Your assistance in this case will be of exceeding great service, and I will pay any person his own expense yt shall bring up a number of men for the service of the Vigilant. I have also inclos'd my proclamation for the encouragement of Landmen and beating orders to be fill'd up by yourself. You may I should think get one company at least, of any number of above forty men over and above what your Assembly think to raise, be that number what it will, in doing wch there will be no necessity to stay 'till you see what your Assembly will do: the men thus rais'd shall choose their own officers. You know what dispatch is necessary in this case. I will answer any of your drafts instantly, wch you shall make upon this occasion, and shall hope for your best endeavours, and as successful as your former in this service, wch I hope will finally turn out to the satisfaction and happiness of both of us.

I am in haste
Your Excellency's most faithful
Humble servt,
W. SHIRLEY.

Be pleas'd, if possible to raise two or three or four Companies for me whatever number they raise. They have voted to raise I hear 150 men only, at Rhode Island.

This goes by Express, and I would beg the favour of your answer by him.

I forwarded some letters to you & Mr. Atkinson yesterday from the Camp wch I hope you receiv'd.

[P. 229.] Boston, 15th June 1745.

Sir —

I have just recd letters from General Pepperell & Commodore Warren by which I learn that altho' we have suffered some loss of men (between 100 & 200) in an attack of the Island Battery which miscarried, yet that we have obtain'd considerable advantages against the Enemy in taking several of their provision vessels, and worsting them in some skirmishes our parties have had with them, and by the intelligence they have received from Prisoners, which is confirm'd by other circumstances, the Enemy are short of provisions and ammunition but as the number of our men are not equal to the Greatness of the Enterprise, and therefore the duty is heavy on the officers & soldiers,

they press importunately for at least three thousand land Troops as absolutely necessary to Reinforce them, and a considerable number of seamen for manning the ship Vigilant; and altho' the Land & sea Forces need these recruits, yet I still find the officers full of Expectations of a happy Issue of this affair by the Reduction of Louisburg; and as the success thereof is of the utmost consequence to the best Interests of these Provinces, and which (as I find by Letters Commodore Warren has received from the Ministry) His Majesty and his ministers have much at heart, I must therefore with great earnestness press your Excellency to have as many soldiers & seamen rais'd in your Province, as can possibly be spared, and that without the least delay; and I do assure you that I find the Assembly here well spirited to support the Expedition to their utmost, and that they will do all that they can to furnish the necessary Recruits; but it is not possible nor can be expected that we should answer these demands of Recruits without very great assistance from our neighbours, and therefore I must earnestly press you for more Troops, and if there are with you any good Experienced gunners I must pray you will send as many of them as you can, & that without delay.

It will be of great consequence that I hear speedily from you for the Encouragement of our Friends at Cape Breton.

I am, Sir, your Excellencys
most obedient humble servant,
W. Shirley.

P. S. This is the very crises of the fate of New England, particularly of this and your Province, wch I hope your new Assembly will duly consider.

His Exc^y Benning Wentworth, Esq.

Governor Shirley's Letter to the Indians.

[p. 238.] Boston July 12, 1745.

Good Friends —

As we have agreed to give one another advice of all that happens, I now acquaint you that Heaven has favour'd our Righteous cause against the French who have unjustly made War upon us; & Louisbourg with the Island of Cape Breton was the 17th of June last, delivered into our hands, where we have now 4000 soldiers masters of the place, & ten large men of War besides many small Ships of War there, & we have also taken a large man of War from the French carrying near seventy guns & between five & six hundred men, besides a great number of merchant vessels, and we have now bro't to Boston above seven hundred French Prisoners, and above Two thousand French Prisoners at Louisbourg & aboard our ships of war will be sent home to France immediately. This intelligence we send you that you may not be deluded, by the French or St. John's & Nova Scotia Indians that solicit you to break your Friendship with us to your own Ruin. We have been your Faithful Friends and your Traffick with us has been much more for your advantage than your Trade with the French, and you may still live easy with us and free from the Distress and Danger of war if you please, but if not and you will let the French and the Indians in their Interest Deceive and Seduce you and you will perfidiously break your solemn League with us, we doubt not but the Great God who is the Avenger of all such Wickedness and has so remarkably punished our treacherous Enemy the French, will stand by us and give us success for the punishing your perfidiousness. But if you are willing to enjoy the Benefits of peace with us, we shall expect that you will send two or three of your Chief Captains to confirm the Friendship be-

tween us, and if any of your people stand in fear of the French and therefore want protection for themselves & their Familys and will come up to Boston we will take care of them. I expect that you send me your answer without Delay.

I remain your good Friend,

W. Shirley.

To the Sachems & others of the
Penobscot & Norridgwalk Indians

Copy Examined pr. J. Willard, Secy

[P. 220.] Boston April 8th 1745.

Sir —

I should be oblig'd to you if you would let me know by the next post your sentiments upon our undertaking, in conjunction with the neighboring Governments, an Expedition against Canada this year, in case of our succeeding against Cape Breton; that you would communicate to me what you think would be the most advisable scheme for doing it; what the most proper season; by what time at latest it should be begun, and how long time it would take to march our Forces there, and when it would be necessary for 'em to retire on account of the season of the year; & whether it is practicable to march a sufficient number of forces by Land, and transport a sufficient Quantity of provisions for such an enterprise, as also artillery and stores, and what number of men you think might be necessary for such purpose, also what number of Regular Troops and militia the Enemy can probably muster to oppose our army; And particularly, whether such an attempt can be prudently made without first making ourselves masters of Crown point, and how practicable that may be, with the manner of doing it, and what supports we should want from home to enable us to subdue the country; also in particular, whether it is not very practicable to break up all the enemy's settlements in the country, and oblige 'em to fly into Montreal or Quebeck, and whether the effect of that, if it should be repeated two years, and they were cut off from all supplies by sea from old France, would not be to subdue 'em by famine or extreme distress, supposing our Forces should not penetrate so far as Montreal or Quebeck; And that you would send me your sentiments as particularly upon every circumstance concerning the affair as if it was expressly mentioned here and put to you. I am inform'd that Mr. Atkinson is the most capable of advising in this matter of any man in America. I should be glad if your Excellency would consult with him concerning it as far as you shall think proper.

I have heard nothing further of Commodore Warren, so am in hopes he has been off of Cape Breton, for some time past.

I am with much esteem,
Sir, your Excys most obedient
Humble servant

W. Shirley.

His Excy Benning Wentworth, Esq.

I shall find time, I hope, by next post to write to your Excellency upon our other affairs, as I shall then have got rid of my Despatches by a ship to go from hence this week to London.

[P. 221.] Portsmouth 12th April 1745.

I have now duly considered the subject of your favour of the 8th curr^t respecting a future conquest against the French settlements up the river St Lawrence, in case we succeed in the Reduction of Louisburg, which if we are not greatly deceived in the accounts we have had of the strength of that Garrison, I have little room to doubt of.

Capt. Warren's with the two other ships arrived before that place, before they were Reinforced from old France, which I conceive must be the case, since he has not appear'd in this quarter.

Granting the Reduction of Louisbourg, I am quite clear in pursuing the conquest, with additional Troops, provided they can be cover'd with a proper naval force to secure their Retreat, as high up as Montreal, in which there will be no difficulty, but at Quebec. How strong that may be, I am not able to discover; the other settlements on the River may be conquered with 50 whale boats well arm'd, & proper vessells to attend them on our way up, or in coming down as may be thought most prudent. Mr. Atkinson is the only person in the Government that can give me the least information on this head, & he thinks 4000 effective men a sufficient force to go against Quebec, & from what he was able to learn of the strength of that Town when at Montreal, he thinks the conquest very Easyly made, tho' we should not have the assistance of Brittish troops, provided we had men of war to guard the River & to secure the Retreat of our Forces; between Quebec & Montreal there is only one Town fortified, which is called the Three Rivers, but can make little resistance. Montreal when he was there, might be taken with 500 men, having no walls or cannon capable of resisting a stout privateer. The River will admit of vessels from 50 to 150 Tons, quite to the banks of the River on which the Town of Montreal is built. The proper time for our troops to leave that Country is the latter end of Sept. or early in October — and the time of being there must be so early as to prevent the Enemy from gathering in their Harvest, by which means the out settlements, wch are not many must flee to fort Shamblea, which is a strong Fort but must be soon given up & abandoned for want of provisions, if many of the inhabitants should flee thither from Montreal, which must be the case when they are besieged; and upon the Enemy's abandoning Shamblea there is no refuge but Crown Point fort, whether they can get by Canoes, & the help of two small vessels that were built in the lake, and armed to transport troops, provisions & war-like stores to Crown point Fort.

Upon our success at Cape Breton, if the Governments as far as Philadelphia would heartily & speedily unite in this grand enterprise I am convinced the Reduction of Louisburg would so dispirit the Enemy that we might make an intire conquest of the French in North America & then the French war would be the happiest war New England ever engaged in.

The greatest difficulty that at present occurs to me is the want of good arms — which I can see no prospect to be supply'd with.

But as the progress of this undertaking depends wholy in my opinion on our success at Cape Breton, I shall only say that it is my fixed opinion, that upon the first notice of our success every hand & every heart should be Imploy'd in pursuing the conquest to Montreal, having no regard to Shamblea or Crown Point Fort wch must of consequence fall into our hands for the reason, that if the Enemy should not flee to those forts for safety, we could easily drive such numbers thither as must necessarily oblige them soon to surrender, or starve by famine.

I am, Sir,
Your Excellency's
most faithful &
Obed^t hum^e servt.

. . . . . .

Indorsed: ["Copy of a letter to G^r Shirley on carrying the conquest after the Reduction of Louisbourg to Quebeck &c. 1745." No signature, but probably written by Govr Wentworth.—Ed.]

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